

Wetlands Bureau Decision Report

Decisions Taken
04/14/2003 to 04/18/2003

DISCLAIMER:

This document is published for information purposes only and does not constitute an authorization to conduct work. Work in jurisdiction may not commence until the applicant has received a posting permit.

Decisions are subject to appeal, and are reviewed by the federal agencies for compliance with Section 404 of the Federal Clean Water Act.

APPEAL:

I. Any affected party may ask for reconsideration of a permit decision in accordance with RSA 482-A:10,II within 20 days of the Department's issuance of a decision. Requests for reconsideration should:

- 1) describe in detail each ground for complaint. Only grounds set forth in the request for reconsideration can be considered at subsequent levels of appeal;
- 2) provide new evidence or information to support the requested action;
- 3) Parties other than the applicant, the town, or contiguous abutters must explain why they believe they are affected; and
- 4) Be mailed to the DES Wetlands Bureau, PO Box 95, Concord, NH 03302-0095.

II. An appeal of a decision of the department after reconsideration may be filed with the Wetlands Council in accordance with RSA 482-A:10, IV within 30 days of the department's decision. Filing of the appeal must:

- 1) be made by certified mail to Brian Fowler, Chairperson, Wetlands Council, PO Box 95, Concord, NH 03302-0095 (a copy should also be sent to the DES Wetlands Bureau);
- 2) contain a detailed description of the land involved in the department's decision; and
- 3) set forth every ground upon which it is claimed that the department's decision is unlawful or unreasonable.

MAJOR IMPACT PROJECT

1999-02481 NH DEPT OF TRANSPORTATION
CHESTERFIELD Connecticut River

Requested Action:

NHDOT requests a permit amendment to replace grassed treatment swales with oil and grit separators as the current swales have failed.

APPROVE AMENDMENT:

Dredge and fill a total of 121,762 sq. ft. within 550 linear feet of bank and channel area to construct a new steel arch bridge carrying NH/VT Route 9 over the Connecticut River. Work involves realignment of a portion of Route 9 and reconstruction of the New England Central Railroad bridge over Route 9 in Vermont. A portion of eroded riverbank will be reconstructed and stabilized with stone fill north of the proposed bridge. NHDOT project #11999.

With Conditions:

1. All work shall be in accordance with plans by DOT Highway Design received by the Department on 12/9/99, revised plans received 1/23/01 and revised plans received 10/31/02.
2. Dredged material shall be placed out of the DES Wetlands Bureau jurisdiction.
3. Work within surface waters shall be done in the dry or during low flow.
4. Construction equipment shall not be located within surface waters.
5. Issuance of DES Wetlands Bureau permit is contingent on review and approval of final erosion control plans that detail streamflow diversion during construction and temporary siltation/erosion control measures to be implemented.
6. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
7. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
8. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
9. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
10. Dewatering of work areas shall be discharged to sediment basins located in uplands and lined with hay bales or other acceptable sediment trapping liners.
11. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
12. Extreme precautions to be taken within riparian areas to limit unnecessary removal of vegetation during road construction and areas cleared of vegetation to be revegetated as quickly as possible.
13. There shall be no further alteration to wetlands or surface waters without amendment of this permit.
14. Standard precautions shall be taken to prevent import or transport soil or seed stock from nuisance, invading species such as purple loosestrife or Phragmites.
15. The impacts associated with the temporary work shall be restored immediately following construction.
16. The bank area above the ordinary high water mark will be vegetated with a mix of herbaceous and woody species and the planting plan for these plantings shall be reviewed and approved by DES Wetlands Bureau.

ADDED CONDITION:

17. Treatment criteria have been satisfied through the use of three Rotondo model No. ST 6x14-3 water quality inlet structures. Manufactures specifications and recommended routine maintenance schedules shall be kept on file for review by DES for the life of the Rotondo model No. ST 6x14-3 structures. Records of inspections and routine maintenance shall also be kept on file for review by DES for the life of the Rotondo model No. ST 6x14-3 structures.

With Findings:

1. The proposed project is considered a major impact 303.02(c) and (i) as impacts exceed 20,000 sq. ft. and total more than 200 linear feet along the bank and channel area.
2. Attempts to maintain the vegetated swales have been unsuccessful and the separator units will simulate the functions of the swales.

2001-00626 TOURRETTES TRUST
WOLFEBORO Lake Winnepesaukee

Requested Action:

1. Remove 300 sq ft of existing breakwater.
2. Fill 1116 sq ft to re-construct an existing breakwater to 44 linear ft of breakwater, in an "I" configuration, with a 6 ft gap at the shoreline, and a 5.5 ft x 45 ft cantilevered pier accessed by a 5.5 ft x 12 ft walkway;
3. Permanently remove an existing dug-in boathouse, excavate 1496 sq ft in the existing footprint, along 49 linear ft of shoreline, to construct a 41 ft by 36 ft 4 in 3 slip dug-in boathouse;
4. Dredge 75 cy from 1226 sq ft of lakebed to provide access to the dug-in boathouse.

Conservation Commission/Staff Comments:

Con Com recommends DES site visit due to extensive proposed work.

Inspection Date: 04/16/2002 by Dale R Keirstead

Inspection Date: 09/20/2002 by Dale R Keirstead

APPROVE PERMIT:

1. Remove 300 sq ft of existing breakwater.
2. Fill 1116 sq ft to re-construct an existing breakwater to 44 linear ft of breakwater, in an "I" configuration, with a 6 ft gap at the shoreline, and a 5.5 ft x 45 ft cantilevered pier accessed by a 5.5 ft x 12 ft walkway;
3. Permanently remove an existing dug-in boathouse, excavate 1496 sq ft in the existing footprint, along 49 linear ft of shoreline, to construct a 41 ft by 36 ft 4 in 3 slip dug-in boathouse;
4. Dredge 75 cy from 1226 sq ft of lakebed to provide access to the dug-in boathouse.

With Conditions:

1. All work on this property with an average of 458 ft of frontage on Lake Winnepesaukee in Wolfeboro shall be in accordance with plans by White Mountain Survey dated March 3, 2003, as received by the Department on March 5, 2003.
2. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
3. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
4. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
5. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
6. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
7. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
8. These shall be the only structures on this water frontage and all portions of the structures, including the breakwater toe of slope, shall be at least 20 ft from the abutting property lines or the imaginary extension of those lines into the water.
9. No portion of breakwater as measured at normal full lake shall extend more than 50 feet from normal full lake shoreline.

10. The breakwater shall have an irregular face.
11. The breakwater shall not exceed 3 feet in height(Elev. 507.32) over the normal high water line(Elev. 504.32).
12. The width as measured at the top of the breakwater(Elev. 507.32) shall not exceed 3 feet.
13. Rocks may not remained stockpiled on the frontage for a period longer than 60 days.
14. Photos showing that all construction materials have been removed from the temporary stockpile area shall be submitted to the Bureau upon completion of the docking facility.
15. This facility is permitted with the condition that future maintenance dredging, if needed, shall not be permitted more frequently than once every 6 years, and that a new permit shall be required for each dredge activity.
16. The owner understands and accepts the risk that if this facility requires dredging to maintain a minimum slip depth of 3 feet, more frequently than once every 6 years, or is shown to have an adverse impact on abutting frontages, it shall be subject to removal.
17. The owner shall file a restrictive covenant in the appropriate registry of deeds limiting the use of the boathouse to the storage of boats and boating-related accessories. A copy of the recorded covenant permit shall be submitted to the DES Wetlands Bureau prior to construction.
18. The boathouse shall be a single-story structure; ridgeline not to exceed 18.68 ft in height (Elev. 523) above normal high water (Elev. 504.32).
19. Dewatering of work areas and dredged materials shall be discharged to sediment basins located in uplands and lined with hay bales or other acceptable sediment trapping liner at least 200 ft from the waterbody.
20. All dredged and excavated material and construction related debris shall be placed outside of the areas under the jurisdiction of the DES Wetlands Bureau.
21. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This project is classified as a major project per Rule Wt 303.02(j), Construction of a Breakwater.
2. The construction of a breakwater to provide safe docking at this site is justified in accordance with Rule Wt 402.07, Breakwaters.
3. The applicant has an average of 458 feet of frontage along Lake Winnepesaukee, Wolfeboro.
4. A maximum of 7 slips may be permitted on this frontage per Rule Wt 402.14, Frontage Over 75'.
5. The proposed docking facility will provide 4 slips as defined per RSA 482-A and therefore meets Rule Wt 402.14.
6. Public hearing is waived based on field inspection, by NH DES staff, on April 18, 2002, with the finding that the project impacts will not significantly impair the resources of Lake Winnepesaukee.
7. Field inspection on April 18, 2002, found no evidence of sand migration along this shoreline.

-Send to Governor and Executive Council-

2002-00147 **OAKLEY, WILLIAM**
ALTON **Lake Winnepesaukee**

Requested Action:

Fill 880 sq ft to construct 56 linear ft of breakwater in a dog-leg configuration with a 4 ft by 27 ft long cantilevered pier extending from a 4 ft by 34 ft pier accessed by a 4 ft by 10 ft walkway, dredge 38 cu yd from 480 sq ft lakebed and excavate along 37 linear ft of the bank to construct a 35 ft by 26 ft dug in boathouse in the bank on an average of 169 ft of frontage on Lake Winnepesaukee, Alton.

Conservation Commission/Staff Comments:

Con Com feels project is excessive for frontage, exceeds town height restrictions and excessive blasting will be needed. Received a variance from Town of Alton Zoning Board & Cedar Cove Association.

APPROVE PERMIT:

Fill 880 sq ft to construct 56 linear ft of breakwater in a dog-leg configuration with a 4 ft by 27 ft long cantilevered pier extending from a 4 ft by 34 ft pier accessed by a 4 ft by 10 ft walkway, dredge 38 cu yd from 480 sq ft lakebed and excavate along 37 linear ft of the bank to construct a 35 ft by 26 ft dug in boathouse in the bank on an average of 169 ft of frontage on Lake Winnepesaukee, Alton.

With Conditions:

1. All work shall be in accordance with plans by T. R. Selling Engineering, P.C. revised September 12, 2002, as received by the Department on September 13, 2002.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
3. The owner shall file a restrictive covenant in the appropriate registry of deeds limiting the use of the boathouse to the storage of boats and boating-related accessories. A copy of the recorded covenant permit shall be submitted to the DES Wetlands Bureau prior to construction.
4. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
5. The boathouse shall be a single-story structure; ridgeline not to exceed 15 ft in height (Elev. 519.32) above normal high water (Elev. 504.32).
6. Dewatering of work areas and dredged materials shall be discharged to sediment basins located in uplands and lined with hay bales or other acceptable sediment trapping liner.
7. All dredged and excavated material and construction related debris shall be placed outside of the areas under the jurisdiction of the DES Wetlands Bureau.
8. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
9. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area and shall remain until suspended particles have settled and water at the work site has returned to normal clarity.
10. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
11. Future maintenance dredging, if needed, shall not be permitted more frequently than once every 6 years, and that a new permit shall be required for each dredge activity.
12. The owner understands and accepts the risk that if this facility requires dredging to maintain a minimum slip depth of 3 feet, more frequently than once every 6 years, or is shown to have an adverse impact on abutting frontages, it shall be subject to removal.
13. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
14. These shall be the only structures on this water frontage and all portions of the structures, including the breakwater toe of slope, shall be at least 20 ft from the abutting property lines or the imaginary extension of those lines into the water.
15. No portion of breakwater as measured at normal full lake shall extend more than 50 feet from normal full lake shoreline.
16. The breakwater shall not exceed 3 feet in height (Elev. 507.32) over the normal high water line (Elev. 504.32).
17. The width as measured at the top of the breakwater (Elev. 507.32) shall not exceed 3 feet.
18. Rocks may not remain stockpiled on the frontage for a period longer than 60 days. Rocks shall not be stockpiled with 20 ft of any property line or the extension of any property line over the water.
19. Photos showing that all construction materials have been removed from the temporary stockpile area shall be submitted to the Bureau upon completion of the docking facility.
20. The owner understands and accepts the risk that if this facility requires dredging to maintain a minimum slip depth of 3 feet, more frequently than once every 6 years, or is shown to have an adverse impact on abutting frontages, it shall be subject to removal.
21. The breakwater shall have an irregular face to dissipate wave energy.
22. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This project is classified as a major project per Rule Wt 303.02(j), construction of a Breakwater and Boathouse.
2. The construction of a breakwater to provide safe docking at this site is justified in accordance with Rule Wt 402.07, Breakwaters.
3. The applicant has an average of 169 feet of shoreline frontage along Lake Winnepesaukee.
4. A maximum of 3 slips may be permitted on this frontage per Rule Wt 402.14, Frontage Over 75'.
5. The proposed docking facility will provide 3 slips as defined per RSA 482-A:2, Boat slip, and therefore meets Rule Wt 402.14.
6. Public hearing is waived based on field inspection, by NH DES staff, on September 13, 2001, with the finding that the project impacts will not significantly impair the resources of Lake Winnepesaukee.

7. Field inspection on September 13, 2001 found no obvious evidence of sand migration along this shoreline.
8. The Bureau has received written confirmation from the Cedar Cove Association that the boathouse is not prohibited by the association's covenants.

-Send to Governor and Executive Council-

2002-00313 BENNETT, JEFFREY & TRACEY
MOULTONBOROUGH Lake Winnepesaukee

Requested Action:

Amend permit to reduce the size of the boathouse.

Conservation Commission/Staff Comments:

The Moultonborough CC's opposition to the dug-in boathouse is based upon a rule that applies to tidal waters. Applicant wishes to amend permit, reducing 1 boathouse by 1 boatslip.

Inspection Date: 05/17/2002 by Darlene Forst

APPROVE AMENDMENT:

Amend Permit to Read:

Dredge 30 cu yd from 1,245.5 sq ft of lakebed and excavate 2,425 sq ft of material along 48 linear ft of shoreline to construct a 3 slip dug-in boathouse on an average of 451 feet of shoreline on Lake Winnepesaukee.

With Conditions:

1. All work shall be in accordance with plans by Lakeshore Construction amended March 18, 2003, as received by the Department on March 24, 2003.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
3. The owner shall file a restrictive covenant in the appropriate registry of deeds limiting the use of the boathouse to the storage of boats and boating-related accessories. A copy of the recorded covenant permit shall be submitted to the DES Wetlands Bureau prior to construction.
4. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
5. The boathouse shall be a single-story structure; ridgeline not to exceed 20 ft in height (Elev. 525.50) above deck surfaces (Elev. 505.80).
6. Dewatering of work areas and dredged materials shall be discharged to sediment basins located in uplands and lined with hay bales or other acceptable sediment trapping liner.
7. All blasting shall be conducted by a licensed, insured, blasting company as specified on the approved plans.
8. Blasting shall be conducted during drawdown.
9. All dredged and excavated material and construction related debris shall be placed outside of the areas under the jurisdiction of the DES Wetlands Bureau.
10. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
11. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area and shall remain until suspended particles have settled and water at the work site has returned to normal clarity.
12. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

13. This facility is permitted with the condition that future maintenance dredging, if needed, shall not be permitted more frequently than once every 6 years, and that a new permit shall be required for each dredge activity.
14. The owner understands and accepts the risk that if this facility requires dredging to maintain a minimum slip depth of 2 feet, more frequently than once every 6 years, or is shown to have an adverse impact on abutting frontages, it shall be subject to removal.
15. Applicant for a shoreline structure defined as a major project shall file a restrictive covenant in the appropriate registry of deeds dedicating the shoreline frontage to those structures.
16. No work is authorized to the existing "U" shaped docking facility.
17. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This project is classified as a major project per Rule Wt 303.02(d), construction of a 6 slip docking facility.
2. The applicant has an average of 451 feet of shoreline frontage along Lake Winnepesaukee.
3. A maximum of 7 slips may be permitted on this frontage per Rule Wt 402.14, Frontage Over 75'.
4. The existing and proposed docking facilities will provide a total of 6 slips as defined per RSA 482-A and therefore meets Rule Wt 402.14.
5. Public hearing is waived based on field inspection, by NH DES staff, on May 17, 2002, with the finding that the project impacts will not significantly impair the resources of Lake Winnepesaukee.
6. Field inspection on May 17, 2002 found no obvious evidence of sand migration along this shoreline.
7. The proposed 3 slip boathouse will result in less intrusion into the public waters than a 3 slip docking facility lakeward of normal high water.

-Send to Governor and Executive Council-

2002-01078 NH DEPT OF TRANSPORTATION
ALTON Unnamed Wetland

Requested Action:

Request an amendment to the permit as the road has shifted slightly and the overall impacts have been reduced.

Inspection Date: 08/20/2002 by Gino E Infascelli

APPROVE AMENDMENT:

AMEND PERMIT to: Fill 60,643 sq. ft. of wetlands and streams to widen shoulders, rehabilitate pavement and replace existing culverts. NHDOT project #12894.

With Conditions:

1. All work shall be in accordance with plans by NHDOT Bureau of Highway Design revised on April 9, 2003 and as received by the Department on April 10, 2003.
2. This permit is contingent upon the submission of project specific stream diversion and erosion control plans to DES Wetlands Bureau. Those plans shall detail the timing and method of stream flow diversion during construction, and shall show the temporary siltation, erosion and turbidity control measures to be implemented.
3. Dredged material shall be placed out of the DES Wetlands Bureau jurisdiction.
4. Unconfined work within the stream, exclusive of work associated with installation of a cofferdam, shall be done during periods of low flow.
5. Cofferdams shall not be installed during periods of high flow, whether due to seasonal runoff or precipitation. Once a cofferdam is fully effective, confined work can proceed without restriction.
6. Prior to commencing work on a substructure located within surface waters, a cofferdam shall be constructed to isolate the substructure work area from the surface waters.
7. Temporary cofferdams shall be entirely removed immediately following construction.
8. Construction equipment shall not be located within surface waters.
9. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; and c) set back as far as possible from wetlands and surface waters, in all cases with a

minimum of 20 feet of undisturbed vegetated buffer.

10. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.

11. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

12. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.

13. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Matting and pinning shall stabilize slopes steeper than 3:1.

14. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

15. Extreme precautions to be taken within riparian areas to limit unnecessary removal of vegetation during road construction and areas cleared of vegetation to be revegetated as quickly as possible.

16. There shall be no further alteration to wetlands or surface waters without amendment of this permit.

17. Standard precautions shall be taken to prevent import or transport of soil or seed stock from nuisance, invading species such as purple loosestrife or Phragmites.

18. Mitigation for this project shall be provided in the future as outlined in the NHDOT Bureau of Environment memo dated January 15, 2003 and received by the Department on January 17, 2003.

ADDED CONDITIONS:

19. The stone channel shown on the plans west of station 133 + 50 shall stop prior to entering the forested wetland.

20. Earthen berm to be constructed at or near station 181+50 shall be compacted.

With Findings:

1. This is a major impact project per Administrative Rule Wt 303.02(c), alteration of more than 20,000 sq. ft. of non-tidal wetlands and surface waters.

2. The amended permit reflects a slight change in the roadway alignment.

2002-01912 CAMBI, JOSEPH
MOULTONBOROUGH Squam Lake

Requested Action:

Permanently remove existing 6 ft x 30 ft seasonal dock, and dredge 45 cu yd from 600 sq ft of lakebed and excavate 1064 sq ft along 23 linear ft of shoreline to construct a 1 slip 24 ft x 32 ft dug-in boathouse with 140 sq ft storage/entry space on the southeast corner of the boathouse, install 30 linear ft of rip-rap to stabilize the edges of the dredged inlet, and install a 6 ft x 40 ft seasonal dock on an average of 182 ft of frontage on Squam Lake.

Conservation Commission/Staff Comments:

Sent revised plans outside wetlands. Con. Com. did not respond.

Inspection Date: 12/23/2002 by Darlene Forst

APPROVE PERMIT:

Permanently remove existing 6 ft x 30 ft seasonal dock, and dredge 45 cu yd from 600 sq ft of lakebed and excavate 1064 sq ft along 23 linear ft of shoreline to construct a 1 slip 24 ft x 32 ft dug-in boathouse with 140 sq ft storage/entry space on the southeast corner of the boathouse, install 30 linear ft of rip-rap to stabilize the edges of the dredged inlet, and install a 6 ft x 40 ft seasonal dock on an average of 182 ft of frontage on Squam Lake.

With Conditions:

1. All work shall be in accordance with plans by T.R. Selling Engineering, P.C. dated March 5, 2003, as received by the Department on March 12, 2003.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
3. The owner shall file a restrictive covenant in the appropriate registry of deeds limiting the use of the boathouse to the storage of boats and boating-related accessories. A copy of the recorded covenant permit shall be submitted to the DES Wetlands Bureau prior to construction.
4. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
5. The boathouse shall be a single-story structure; ridgeline not to exceed 19 ft in height (Elev. 581.50) above normal high water (Elev. 562.50).
6. Dewatering of work areas and dredged materials shall be discharged to sediment basins located in uplands and lined with hay bales or other acceptable sediment trapping liner.
7. All dredged and excavated material and construction related debris shall be placed outside of the areas under the jurisdiction of the DES Wetlands Bureau.
8. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
9. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area and shall remain until suspended particles have settled and water at the work site has returned to normal clarity.
10. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
11. This facility is permitted with the condition that future maintenance dredging, if needed, shall not be permitted more frequently than once every 6 years, and that a new permit shall be required for each dredge activity.
12. The owner understands and accepts the risk that if this facility requires dredging to maintain a minimum slip depth of 3 feet, more frequently than once every 6 years, or is shown to have an adverse impact on abutting frontages, it shall be subject to removal.
13. Work authorized shall be carried out such that discharges shall be avoided in spawning or nursery areas during spawning seasons, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
14. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding and nesting areas shall be avoided.
15. Seasonal piers shall be removed for the non-boating season.
16. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a major impact project per Administrative Rule Wt 303.02(g), removal of more than 20 cu yd of material from public waters.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) , Requirements for Application Evaluation, has been considered in the design of the project.
5. DES Staff conducted a field inspection of the proposed project on December 23, 2003. Field inspection determined the project to be approvable with revised plans.
6. The public hearing is waived with the finding that the project impacts will not significantly impair the resources of this lacustrine system.
7. The applicant has an average of 182 ft of frontage on Squam Lake.
8. A maximum of 3 slips may be permitted on this frontage per Rule Wt 402.14, Frontage Over 75'.
9. The proposed docking facility will provide 3 slips as defined per RSA 482-A:2, and therefore meets the requirements of Rule Wt 402.14.

-Send to Governor and Executive Council-

2002-02034

MEREDITH HARLEY DAVIDSON

MEREDITH Unnamed Wetland

Requested Action:

Approve name change to:PMS Realty, LLC, PO Box 1077, Meredith NH 03253 per request received 3/17/03.

Conservation Commission/Staff Comments:

Cons Comm recommends approval.

Inspection Date: 12/11/2002 by Jocelyn S Degler

APPROVE NAME CHANGE:

Dredge and fill 11,085 sq ft of man made wetland for lot development, restore 200 linear ft of stream to it's original course and construct 19,410 sq ft of wetland for mitigation.

With Conditions:

Dredge and fill 11,085 sq ft of man made wetland for lot development, restore 200 linear ft of stream to it's original course and construct 19,410 sq ft of wetland for mitigation.

With Findings:

1. This permit transfer is issued in accordance with NH Administrative Rule Wt 502.03(b).

Requested Action:

Approve name change to:PMS Realty, LLC, PO Box 1077, Meredith NH 03253 per request received 3/17/03.

APPROVE NAME CHANGE:

Dredge and fill 11,085 sq ft of man made wetland for lot development, restore 200 linear ft of stream to it's original course and construct 19,410 sq ft of wetland for mitigation.

With Conditions:

1. All work shall be in accordance with plans by Opechee Construction dated August 26, 2002, and revised through October 8, 2002 as received by the Department on December 6, 2002.
2. This permit is contingent on approval by the DES Site Specific Program.
3. This permit shall not be effective until it has been recorded with the county Registry of Deeds office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.

Wetland construction:

4. This permit is contingent upon the creation, of 19,410 sq. ft. of wetlands including restoration of 200 linear ft of stream channel in accordance with plans by Schauer Environmental Consultants dated September 6, 2002 and revised through October 8, 2002 as received by the department December 6, 2002, "Final Mitigation Plans".
5. The schedule for construction of the mitigation area shall coincide with site development.
6. The mitigation area shall be properly constructed, monitored, managed in accordance with approved Final Mitigation Plans, and the entire mitigation area shall be preserved from future development.
7. Wetland soils from areas vegetated with purple loosestrife shall not be used in the wetland creation site.
8. Wetland creation and enhancement areas shall have at least 75% successful establishment of wetlands vegetation after two (2) growing seasons, or it shall be replanted and re-established until a functional wetland is replicated in a manner satisfactory to the DES Wetlands Bureau.
9. Wetland creation and enhancement areas shall be properly constructed, landscaped, monitored and remedial actions taken that may be necessary to create functioning wetland areas similar to those of the wetlands destroyed by the project. Remedial measures may include replanting, relocating plantings, removal of invasive species, changing soil composition and depth, changing the elevation of the wetland surface, and changing the hydraulic regime.
10. The permittee shall designate a qualified professional who will have the responsibility to assure that the mitigation area is constructed in accordance with the mitigation plan, that monitoring is accomplished in a timely fashion, and remedial measures are taken if necessary. The Wetlands Bureau shall be notified of the designated professional prior to the start of work and if there is a

change of status during the project.

11. A qualified professional shall monitor the initial construction of the mitigation area to assure the work is accomplished in accordance with the plan, and that the necessary soil, water and vegetation is present upon completion of work. Site monitoring shall include a plan for removing invasive species and shall be reviewed by the Wetlands Bureau prior to implementation.
12. The permittee shall provide a plan depicting the as built conditions, including stream weirs and pools, within 1 month of the completion of construction.
13. The permittee shall conduct a follow-up inspection after the first growing season, to review the success of the mitigation area and schedule remedial actions if necessary. A report outlining these follow-up measures and a schedule for completing the remedial work shall be submitted by December 1 of that year. Similar inspections, reports and remedial actions shall be undertaken in at least the second and third years following the initial completion of each mitigation site.
14. After at least five full growing seasons, the permittee shall delineate the wetlands within the mitigation site and document the delineation with data forms and depict the delineation as an overlay of the final as-built plans.
15. The permittee shall attempt to control invasive, weedy species such as purple loosestrife (*Lythrum salicaria*) and common reed (*Phragmites australis*) by measures agreed upon by the Wetlands Bureau if the species is found in the mitigation areas during construction and during the early stages of vegetative establishment.
16. Proper headwalls shall be constructed within seven days of culvert installation.
17. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
18. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
19. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
20. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
21. Silt fencing must be removed once the area is stabilized.
22. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Storm water Runoff Manual (January, 1996) and the Storm water Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
23. Work shall be done during low flow.

With Findings:

1. This permit transfer is issued in accordance with NH Administrative Rule Wt 502.03(b).

2002-02500 DERRY, TOWN OF
DERRY Beaver Lake

Requested Action:

Replenish existing 42 ft x 100 ft beach with 75 cu yds of sand, and construct a 99 linear ft drainage swale on an average of 430 ft of frontage on Gallien's Beach, Beaver Lake.

Inspection Date: 02/14/2003 by Christian P Williams

APPROVE PERMIT:

Replenish existing 42 ft x 100 ft beach with 75 cu yds of sand, and construct a 99 linear ft drainage swale on an average of 430 ft of frontage on Gallien's Beach, Beaver Lake.

With Conditions:

1. All work shall be in accordance with plans by Eric C. Mitchell & Associates, Inc. revised April 7, 2003, as received by the Department on April 11, 2003.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.

3. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. Dredged or excavated material shall be placed outside of the DES Wetlands Bureau jurisdiction.
5. No more than 75 cu yds of sand may be used and all sand shall be located above the normal high water line.
6. This permit shall be used only once, and does not allow for annual beach replenishment.
7. The applicant shall provide appropriate diversion of surface water runoff to prevent erosion of beach area.
8. Revegetation of the drainage swale with shrubs and ground covers representing the density and species diversity of the existing stand of vegetation removed for this project shall begin at a distance no greater than 5 feet landward from the beach area.
9. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a major impact project per Administrative Rule Wt 303.02(o), replenishment of a beach that does not meet the criteria for minimum impact under Wt 303.04(d) or minor impact under Wt 303.03(f).
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the project.
5. DES Staff conducted a field inspection of the proposed project on February 14, 2003. Field inspection determined the project is approvable.
6. The public hearing is waived with the finding that the project impacts will not significantly impair the resources of this lacustrine sytem.
7. This major project does not require the approval of Governor and Council because no portion of the project will occur below the normal highwater line.

2002-02501 BLACK BROOK LOGISTICS LLC
KEENE Black & Dickinson Brooks

Requested Action:

Dredge and fill approximately 122,437 square feet of palustrine forested wetland and wet meadow for industrial lot development, an access road and relocation of Summit road. Construct 11,800 sq. ft. of wetland, preserve 33.0 acres with a restrictive covenant, consisting of 10 acres of jurisdictional wetlands and 23 acres of contiguous upland buffer and restore 4.9 acres of forested wetlands and restore approximately 2,500 linear feet of perennial stream corridor as compensatory mitigation for project related wetland impacts.

Conservation Commission/Staff Comments:

Con Com response received 01/24/2003; Commission recommends easement language for on site and off site mitigation is approved and recorded prior to commencing constriction. Con Com believes roadway layout shown in option 6 is to close to Black Brook. Con Com suggests increasing the existing easement along Dickson Brook to protect the wildlife corridor.

On December 2, 2002, the Keene Conservation Commission approved to amend the existing conservation easement for Black Brook, LLC .

APPROVE PERMIT:

Dredge and fill approximately 122,437 square feet of palustrine forested wetland and wet meadow for industrial lot development, an access road and relocation of Summit road. Construct 11,800 sq. ft. of wetland, preserve 33.0 acres with a restrictive covenant, consisting of 10 acres of jurisdictional wetlands and 23 acres of contiguous upland buffer and restore 4.9 acres of forested wetlands and restore approximately 2,500 linear feet of perennial stream corridor as compensatory mitigation for project related wetland impacts.

With Conditions:

1. All work for the access road and relocation of Summit road shall be in accordance with plans by SVE Associates dated February 3, 2003, as received by the Department on March 19, 2003; Construction of the C&S Corporate Headquarters shall be in accordance with plans by SVE Associates and Brickstone Masons, Inc., as received by the Department on March 19, 2003.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
3. This permit is contingent on approval by the DES Site Specific Program.
4. This permit is contingent upon receipt by DES of a plan noting the revisions to the existing conservation area as approved under Wetlands permit 1999-00150 with a copy of the final easement language recorded with the Registry of Deeds Office for each appropriate lot. A copy of the recording from the County Registry of Deeds Office shall be submitted to the DES Wetlands Bureau prior to the start of construction.
5. The revised conservation easement and final language shall be submitted to DES to amend Wetlands permit 1999-00150.
6. This permit is contingent on submittal to DES of a revised copy of the final easement language for the Watershed Protection Operation and Maintenance Agreement, as established between the NRCS and the City of Keene for Black Brook recorded with the Registry of Deeds Office for each appropriate lot. A copy of the recording from the County Registry of Deeds Office shall be submitted to the DES Wetlands Bureau prior to the start of construction.
7. Construction of the proposed free standing office with associated parking is contingent upon the subsequent review and approval by DES of detailed site plans for this portion of the property. No alterations to this portion of the property may occur until final DES approval.
8. Construction of the proposed child-care center and associated parking is contingent upon the subsequent review and approval by DES of detailed site plans for this portion of the property. No alterations to this portion of the property may occur until final DES approval.
9. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
10. Work shall be done during low flow.
11. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
12. Unconfined work within the river, exclusive of work associated with installation of a cofferdam, shall be done during periods of low flow.
13. Cofferdams shall not be installed during periods of high flow, whether due to seasonal runoff or precipitation. Once a cofferdam is fully effective, confined work can proceed without restriction.
14. Prior to commencing work on a structure located within surface waters, a cofferdam shall be constructed to isolate the work area from the surface waters.
15. Temporary cofferdams shall be entirely removed immediately following construction.
16. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
17. Dredged material shall be placed out of any area that is within the jurisdiction of the DES Wetlands Bureau.
18. All areas of temporary impact shall be regraded to original contours following completion of work and stabilized by seeding and mulching as appropriate.
19. Proper headwalls shall be constructed within seven days of culvert installation.
20. Culvert outlets shall be properly rip rapped.
21. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
22. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
23. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
24. Silt fencing must be removed once the area is stabilized.
25. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

Wetland construction:

26. This permit is contingent upon the creation of 11,800 sq. ft. of wetlands in accordance with plans by CVES, Inc. received by the Department on March 28, 2003; the restoration of approximately 2,500 linear feet of Black Brook including a 140-foot wide easement; and the restoration of approximately 4.9 acres of forested wetlands adjacent to White Brook in accordance with plans by CVES, Inc. received by the Department on November 18, 2002.
27. This permit shall not be effective until it has been recorded with the county Registry of Deeds office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
28. The schedule for construction of the mitigation areas shall coincide with site construction unless otherwise considered and authorized by the Wetlands Bureau.
29. The mitigation areas shall be properly constructed, monitored, and managed in accordance with approved final mitigation plans.
30. Wetland creation areas shall be properly constructed, landscaped, monitored and remedial actions taken that may be necessary to create functioning wetland areas similar to those of the wetlands destroyed by the project. Remedial measures may include replanting, relocating plantings, removal of invasive species, changing soil composition and depth, changing the elevation of the wetland surface, and changing the hydraulic regime.
31. The permittee shall designate a qualified professional who will be responsible for monitoring and ensuring that the mitigation areas are constructed in accordance with the mitigation plan. Monitoring shall be accomplished in a timely fashion and remedial measures taken if necessary. The Wetlands Bureau shall be notified in writing of the designated professional prior to the start of work and if there is a change of status during the project.
32. The applicant shall notify DES and the local conservation commission in writing of their intention to commence construction no less than 5 business days prior to construction.
33. The permittee or a designee shall conduct a follow-up inspection after the first growing season, to review the success of the mitigation areas and schedule remedial actions if necessary. A report outlining these follow-up measures and a schedule for completing the remedial work shall be submitted by December 1 of that year. Similar inspections, reports and remedial actions shall be undertaken in at least the second and third years following the completion of each mitigation site.
34. Wetland creation areas shall have at least 75% successful establishment of wetlands vegetation after two (2) growing seasons, or shall be replanted and re-established until a functional wetland is replicated in a manner satisfactory to the DES Wetlands Bureau.
35. The permittee shall delineate the wetlands within the mitigation site, document the delineation with data forms, and depict the delineation as an overlay of the final as-built plans after at least five full growing seasons.
36. Wetland soils from areas vegetated with purple loosestrife shall not be used in the wetland creation site. The potential for the establishment of the invasive species should be considered in other areas where spoils may be spread to limit its further establishment.
37. The permittee shall attempt to control invasive, weedy species such as purple loosestrife (*Lythrum salicaria*) and common reed (*Phragmites australis*) by measures agreed upon by the Wetlands Bureau if the species is found in the mitigation areas during construction and during the early stages of vegetative establishment.
38. A post-construction report documenting the status of the completed project with photographs shall be submitted to the Wetlands Bureau within 60 days of the completion of construction.

Wetland preservation:

39. This permit is contingent upon the execution of a restrictive covenant on 33 acres as depicted on plans received by DES on November 18, 2002.
40. The restrictive covenant to be placed on the preservation areas shall be written to run with the land, and both existing and future property owners shall be subject to this restrictive covenant.
41. The plan noting the restrictive covenant with a copy of the final restrictive covenant language shall be recorded with the Registry of Deeds Office for each appropriate lot. A copy of the recording from the County Registry of Deeds Office shall be submitted to the DES Wetlands Bureau prior to the start of construction.
42. The applicant shall prepare a report summarizing existing conditions within the restrictive covenant area. Said report shall contain photographic documentation of the restrictive covenant area, and shall be submitted to the DES and the grantee prior to construction to serve as a baseline for future monitoring of the restrictive covenant area.
43. The restrictive covenant area shall be surveyed by a licensed surveyor, and marked by monuments [stakes] prior to construction.
44. The Wetlands Bureau shall be notified of the placement of the monuments to coordinate on-site review of their location.
45. There shall be no removal of the existing vegetative undergrowth within the restrictive covenant area and the placement of fill, construction of structures, and storage of vehicles or hazardous materials is prohibited.

46. Activities in contravention of the restrictive covenant shall be construed as a violation of RSA 482-A, and those activities shall be subject to the enforcement powers of the Department of Environmental Services (including remediation and fines).

With Findings:

1. Impacts will be for access, lot development and parking areas.
2. Total wetland impacts are approximately 122,437 sq. ft.; therefore, this project is considered major per Administrative Rule Wt 303.02(c), projects that involve alterations of nontidal wetlands in excess of 20,000 square feet.
3. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
4. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
5. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the project.
6. Field inspection was conducted by DES Wetlands Bureau staff on April 7, 2003. This inspection revealed that one third of the wetlands proposed to be impacted have been severely altered by human activities. The remaining two thirds of impacted wetlands provide marginal amount of wetland functions. Principally, these wetlands currently serve to store floodwaters.
7. The applicant proposes to mitigate for project related impacts by constructing approximately 11,800 sq. ft. of wetlands. Further, the applicant in conjunction with the City of Keene proposes to place a restrictive covenant on approximately 33 acres at an offsite location. This 33 acre parcel includes portions of White Brook, adjacent forested wetlands, wet meadows and uplands and will include restoration of 4.9 acres of forested wetlands
8. The applicant proposes to restore approximately 2,500 linear feet of previously disturbed stream corridor.
9. Public concern has been raised over the proposed impacts and alterations to an existing conservation easement.
10. The existing conservation easement is 10.43 acres, which includes Black Brook and Dickinson Brook with a mix of wetland and upland buffers.
11. The proposed changes to the conservation easement will provide 10.89 acres, a net increase of 0.46 acres of forested wetland placed in the existing conservation easement.
12. On December 2, 2002, the Keene Conservation Commission approved to amend the existing conservation easement for Black Brook, LLC.
13. The realignment of Summit road will impact 1,611 square feet of previously altered wetlands, primarily road side drainage swales.
14. Public hearing is hereby waived with the finding that recent hearings in Keene have provided ample opportunity for public comments and have not revealed significant public concerns related to wetland impacts.
15. DES finds that this project will not result in a significant net loss of wetland functions and values.

2003-00283 ANDROSCOGGIN VALLEY COUNTRY CLUB
SHELBURNE Androscoggin River

Requested Action:

Fill 80,630 square feet of palustrine scrub-shrub/emergent wetlands and 80 linear feet within overflow channels to re-configure six holes of an existing golf course (Androscoggin Valley Country Club) and eliminate existing holes #14, #15 and a portion of #16 along the Androscoggin River due to erosion and flooding. Mitigate impacts by creating 46,253 square feet of palustrine scrub-shrub wetland, restoring 28,280 square feet of palustrine scrub-shrub wetland, restoring a seasonal stream and bank (250 square feet), and by protecting 24.6 acres of important upland buffers and wetlands along 3,800 linear feet of the Androscoggin River shoreline through a conservation restriction.

Conservation Commission/Staff Comments:

In a letter dated 2/12/03, The Shelburne Conservation Commission stated that they support the proposal and recommend approval of the application.

Inspection Date: 06/01/2000 by Craig D Rennie

APPROVE PERMIT:

Fill 80,630 square feet of palustrine scrub-shrub/emergent wetlands and 80 linear feet within overflow channels to re-configure six

holes of an existing golf course (Androscoggin Valley Country Club) and eliminate existing holes #14, #15 and a portion of #16 along the Androscoggin River due to erosion and flooding. Mitigate impacts by creating 46,253 square feet of palustrine scrub-shrub wetland, restoring 28,280 square feet of palustrine scrub-shrub wetland, restoring a seasonal stream and bank (250 square feet), and by protecting 24.6 acres of important upland buffers and wetlands along 3,800 linear feet of the Androscoggin River shoreline through a conservation restriction.

With Conditions:

1. All work shall be in accordance with plans by York Land Services LLC and application by Lobdell Associates Inc, as received by the Department on 2/13/03.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
3. The applicant shall notify DES and the Shelburne Conservation Commission in writing of their intention to commence construction no less than five (5) business days prior to construction.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. Work shall be done during low flow.
6. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
7. Proper headwalls shall be constructed over the culvert ends within seven days of culvert installation.
8. Stone aprons shall be installed at culvert outlets to prevent scouring and erosion.
9. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
10. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
11. All regrading and cuts/fills shall be completed in such a way that results in no net loss of flood storage within the floodplain.
12. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
13. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
14. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
15. A post-construction report documenting the status of the completed project with photographs shall be submitted to the Wetlands Bureau within 60 days of the completion of construction.
16. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

WETLAND CONSTRUCTION:

17. This permit is contingent upon the creation of 46,253 square feet of wetlands, and the restoration of 28,530 square feet of wetlands in accordance with plans received on 2/12/03.
18. This permit shall not be effective until it has been recorded with the county Registry of Deeds office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
19. The schedule for construction of the mitigation area shall coincide with site construction unless otherwise considered and authorized by the Wetlands Bureau.
20. The mitigation area shall be properly constructed, monitored, and managed in accordance with approved final mitigation plans.
21. Wetland creation and restoration areas shall be properly constructed, landscaped, monitored and remedial actions taken that may be necessary to create functioning wetland areas similar to those of the wetlands destroyed by the project. Remedial measures may include replanting, relocating plantings, removal of invasive species, changing soil composition and depth, changing the elevation of the wetland surface, and changing the hydraulic regime.
22. The permittee shall designate a qualified professional who will be responsible for monitoring and ensuring that the mitigation areas are constructed in accordance with the mitigation plan. Monitoring shall be accomplished in a timely fashion and remedial measures taken if necessary. The Wetlands Bureau shall be notified in writing of the designated professional prior to the start of work and if there is a change of status during the project.

23. The permittee or a designee shall conduct a follow-up inspection after the first growing season, to review the success of the mitigation area and schedule remedial actions if necessary. A report outlining these follow-up measures and a schedule for completing the remedial work shall be submitted by December 1 of that year. Similar inspections, reports and remedial actions shall be undertaken in at least the second and third years following the completion of each mitigation site.
24. Wetland creation and restoration areas shall have at least 75% successful establishment of wetlands vegetation after two (2) growing seasons, or shall be replanted and re-established until a functional wetland is replicated in a manner satisfactory to the DES Wetlands Bureau.
25. The permittee shall delineate the wetlands within the mitigation site, document the delineation with data forms, and depict the delineation as an overlay of the final as-built plans after at least five full growing seasons.
26. Wetland soils from areas vegetated with purple loosestrife shall not be used in the wetland creation site. The potential for the establishment of the invasive species should be considered in other areas where spoils may be spread to limit its further establishment.
27. The permittee shall attempt to control invasive, weedy species such as purple loosestrife (*Lythrum salicaria*) and common reed (*Phragmites australis*) by measures agreed upon by the Wetlands Bureau if the species is found in the mitigation areas during construction and during the early stages of vegetative establishment.

WETLAND PRESERVATION:

28. This permit is contingent upon the execution of a conservation restriction on 24.6 acres of land as depicted on plans received 2/12/03.
29. The conservation restriction to be placed on the preservation areas shall be written to run with the land, and both existing and future property owners shall be subject to this restriction.
30. Draft conservation restriction language shall be submitted to the Wetlands Bureau and Shelburne Conservation Commission for review and approval.
31. The plan noting the conservation area with a copy of the final conservation restriction language shall be recorded with the Registry of Deeds Office for each appropriate lot. A copy of the recording from the County Registry of Deeds Office shall be submitted to the DES Wetlands Bureau prior to the start of construction.
32. The applicant shall prepare a report summarizing existing conditions within the conservation area. Said report shall contain photographic documentation of the area, and shall be submitted to the DES prior to construction to serve as a baseline for future monitoring of the conservation area.
33. The conservation area shall be surveyed by a licensed surveyor, and marked by monuments [stakes] prior to construction.
34. There shall be no removal of the existing vegetative undergrowth within the conservation area and the placement of fill, construction of structures, and storage of vehicles or hazardous materials is prohibited.
35. Activities in contravention of the conservation area shall be construed as a violation of RSA 482-A, and those activities shall be subject to the enforcement powers of the Department of Environmental Services (including remediation and fines).

With Findings:

1. The project is classified as a Major Project per NH Administrative Rule Wt 303.02(c), as impacts are greater than 20,000 square feet.
2. The Androscoggin Valley Country Club (AVCC) is a small, non-profit 18-hole golf course in northern NH. AVCC is currently losing two existing holes along the Androscoggin River to streambank erosion and repeated flooding. A FEMA funded study and design to stabilize the streambank was completed last year and would cost \$250,000 to implement. The AVCC explored alternatives to the streambank stabilization and has developed a plan that calls for abandoning two holes along the river and reconfiguring six holes.
3. A portion of the wetlands on site are restored and created wetlands that were completed for mitigation under the previous NH Wetlands Bureau permit #1990-2277. In order to abandon holes along the river and reconfigure the course, impacts will occur to some of the created and restored wetlands.
4. The applicant is proposing to mitigate the impacts by creating 46,253 square feet of palustrine scrub-shrub wetland, restoring 28,280 square feet of palustrine scrub-shrub wetland, restoring a seasonal stream and bank (250 square feet), and by protecting 24.6 acres of important upland buffers and wetlands along 3,800 linear feet of the Androscoggin River shoreline through a conservation restriction. The entire protection area (24.6 acres) is located within the floodplain and 6.5 acres of that land has been identified by NHI as rare floodplain forest community. Approximately 6.3 acres of upland that is currently used as fairways and greens will be allowed to return to its natural forest community.
5. The proposed mitigation plan meets 193% of the required mitigation according to the Wetland Bureau's draft mitigation rules.
6. The need for the proposed impacts has been demonstrated by the applicant per NH Administrative Rule Wt 302.01.

7. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per NH Administrative Rule Wt 302.03.
8. DES staff inspected the area on 6/1/00, and agreed with the need to stabilize the eroding bank under the original permit #2002-0557. The new plan to abandon the existing golf holes along the river will have positive effect by ultimately allowing a forested buffer to be restored along the shoreline of the Androscoggin River.
9. Public Hearing is waived with the finding that the project will have positive effect on the river by allowing a forested buffer to be restored along the shoreline of the Androscoggin River. Furthermore, fertilizer and pesticide use that is associated with turf management will occur further away from the river, thus improving the water quality to the area.

MINOR IMPACT PROJECT

1999-01349 SYLVIA/L GETCHELL TRUST
DURHAM Unnamed Wetland

Requested Action:

Request name change to Smithfield Construction Company, Inc. to fill 1,817 sq. ft. of wet meadow and forested wetland for the construction of two roadways and installation of three culverts to access buildable upland for a 28 lot residential subdivision on 39.3 acres; fill 847 sq. ft. on the banks of Little Hale Creek for the construction of a 16 ft. concrete arch bridge and placement of rip rap to access buildable upland for the proposed subdivision; fill 88 sq. ft. of forested wetland for the installation of a v-notch weir water control structure; temporarily dredge and fill 475 sq. ft. of wet meadow and forested wetland for the installation of a sanitary sewer line and water main line. Total wetland impacts are 3,227 sq. ft.

Conservation Commission/Staff Comments:

Conservation Commission intervened; no report was received.

APPROVE NAME CHANGE:

Change name to Smithfield Construction Company, Inc. to fill 1,817 sq. ft. of wet meadow and forested wetland for the construction of two roadways and installation of three culverts to access buildable upland for a 28 lot residential subdivision on 39.3 acres; fill 847 sq. ft. on the banks of Little Hale Creek for the construction of a 16 ft. concrete arch bridge and placement of rip rap to access buildable upland for the proposed subdivision; fill 88 sq. ft. of forested wetland for the installation of a v-notch weir water control structure; temporarily dredge and fill 475 sq. ft. of wet meadow and forested wetland for the installation of a sanitary sewer line and water main line. Total wetland impacts are 3,227 sq. ft.

With Conditions:

1. All work shall be in accordance with plans by Keith R. Weston dated May 27, 1999, as received by the Department on April 26, 2000.
2. Coastal staff shall be notified in writing prior to commencement of work and upon completion.
3. Any further alteration of wetlands on this property will require a new application and further permitting by Department of Environmental Services ("DES") Wetlands Bureau.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain in until the area is stabilized.
5. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
6. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing, by mulching with tack or netting and pinning on slopes steeper than 3:1.
7. Wetland boundaries at or near the impact areas are to be clearly marked prior to the start of clearing or construction.
8. This permit shall not be effective until recorded at the Registry of Deeds Office by the permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau concurrent with the commencement of the project.
9. Proper headwalls shall be installed and sideslopes shall be properly stabilized.
10. There shall be no change in the hydrology or integrity of the wetlands following installation of the v-notch weir in the forested

wetland or else the weir shall be required to be removed at the discretion of DES Wetlands Bureau.

11. Construction equipment shall not be located within surface waters.

12. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

13. The impacts associated with the temporary work shall be revegetated with loam, wetland seed mix, and mulch.

14. There shall be no wetland impacts for construction of the trail system as depicted on the plan submitted by Smithfield Construction Co. Inc. dated July 1, 1999 with revisions dated December 1, 1999, as received by the Department on December 8, 1999.

2001-01265 COLLINS, DORIS
ROCHESTER Unnamed Wetland

Requested Action:

Approve name change to: Emerald Abode, LLC, 16 Scott Ave., Hooksett, NH 03106 per request received 4/15/03.

APPROVE NAME CHANGE:

Fill 3,350 sq ft. of forested wetlands for six wetland impacts to construct a road for a 5 lot subdivision of 40 acres with 28.28 acres of Conservation Land remaining in common with each lot.

With Conditions:

1. All work shall be in accordance with plans by Norway Plains Assoc. Inc. dated April 2001, revised on October 29, 2001 as received by the Department on October 29, 2001.
2. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
3. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #2 of this approval.
4. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
6. Work shall be done during low flow.
7. This permit is contingent on approval from DES Dam Safety Program.
8. The final subdivision plan to provide a legend and a copy to be submitted to the file prior to construction.

With Findings:

1. This permit transfer is issued in accordance with NH Administrative Rule Wt 502.03(b).

2002-01960 NH FISH & GAME DEPARTMENT
PITTSFIELD Suncook River

Requested Action:

Dredge and fill 3677 sq ft within the bank and channel of the Suncook River to install 43 linear ft of precast, concrete plank boat ramp and install a 12 foot x 12 foot permanent fishing pier reaching 4 ft into the water from the ordinary high water line on 220 feet of shoreline frontage.

Conservation Commission/Staff Comments:

The conservation commission has not commented on the project.

Inspection Date: 11/21/2002 by Jocelyn S Degler

APPROVE PERMIT:

Dredge and fill 3677 sq ft within the bank and channel of the Suncook River to install 43 linear ft of precast, concrete plank boat ramp and install a 12 foot x 12 foot permanent fishing pier reaching 4 ft into the water from the ordinary high water line on 220 feet of shoreline frontage.

With Conditions:

1. All work shall be in accordance with plans by NH Fish and Game dated November 2001 and revised through December 2002, as received by the Department on January 10, 2003.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
3. Work shall be done during low flow.
4. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee.
5. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
6. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate work area, and shall remain until suspended particles have settled and water at the work site has returned to normal clarity.
7. Appropriate siltation/erosion controls, shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
8. There shall be no cutting of vegetation or removal of any stumps from the bank except for the area within which construction of the ramp will take place.
9. The ramp approach shall be crowned so that drainage is directed away from the center of the ramp.
10. Prior to construction the applicant shall provide a planting plan for the storm water treatment swale to the east of the proposed boat ramp.
11. This is a seasonal facility and it is to be barred by a locked gate during the non-boating season.
12. Applicant shall be responsible for the following:
 - A. providing a handicapped parking spot,
 - B. providing a kiosk where state and local agencies can post notices, or rules and restrictions regarding responsible boating and environmental practices.
13. The boat ramp shall be utilized indefinitely as a public access to the Suncook River and shall not change in use.
14. Dredged material shall be placed out of any area that is within the jurisdiction of the DES Wetlands Bureau.
15. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
16. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 7 days by seeding and mulching.
17. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 7 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
18. Silt fencing must be removed once the area is stabilized.
19. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Storm water Runoff Manual (January, 1996) and the Storm water Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
20. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(c), Projects that involve dredge, fill, or construction of a permanent structure in a stream or marsh that do not meet the criteria of Wt 303.02, except those projects in streams which meet the criteria of Wt 303.04(g).
2. NH Fish and Game is required by RSA 233-A to provide public access to state owned waters for recreation.
3. The applicant has an average of 220 feet of frontage along the Suncook River.
4. A maximum of 3 slips may be permitted on this frontage per Rule Wt 402.14, Frontage Over 75'.
5. This is a public access fishing facility specifically designed for handicapped access.
6. This facility is seasonal and the applicant has specifically agreed to condition #11.
7. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.

8. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
9. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the project.
10. DES Staff conducted a field inspection of the proposed project on November 21, 2002. Field inspection determined the proposed structures will not cause a navigational hazard and sand migration does not appear to be a problem at this location.
11. The public hearing is waived with the finding that the project impacts will not significantly impair the resources of this riverine ecosystem.

2002-02018 LEBANON, CITY OF
LEBANON Great Brook

Requested Action:

Dredge and fill 1,786 square feet (including rip rap of approximately 99 linear feet of stream bank) in riverine wetlands and within the banks of the Great Brook to replace the Spring Street Bridge. Work within jurisdiction consists of the repair of the abutments and construction of a new bridge deck.

Conservation Commission/Staff Comments:

Conservation Commission has made no comments on this project

APPROVE PERMIT:

Dredge and fill 1,786 square feet (including rip rap of approximately 99 linear feet of stream bank) in riverine wetlands and within the banks of the Great Brook to replace the Spring Street Bridge. Work within jurisdiction consists of the repair of the abutments and construction of a new bridge deck. per plans received on 04/03/2003.

With Conditions:

1. All work shall be in accordance with plans by SEA Consultants, Inc. dated April 4, 2003, as received by the Department on April 9, 2003.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
3. No work shall be done which might cause adverse water quality impacts during the period from October 1 through May 31 due to the presence of brook trout in Great Brook unless a waiver of this condition is issued from the DES Wetlands Bureau.
4. Work shall be done during low flow.
5. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
7. Prior to commencing work on a substructure located within surface waters, a temporary cofferdam shall be constructed to isolate the substructure work area from the surface waters.
8. Temporary cofferdams shall not be installed during periods of high flow, whether due to seasonal runoff or precipitation. Once a temporary cofferdam is fully effective, confined work can proceed without restriction.
9. Temporary cofferdams shall be entirely removed immediately following construction.
10. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
11. Dredged material shall be placed out of any area that is within the jurisdiction of the DES Wetlands Bureau
12. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
13. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control

Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

14. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This project will alter approximately 99 linear feet of a perennial stream and therefore is a minor impact project per Administrative Rule Wt 303.03(l), alteration of less than 200 linear feet of a perennial stream channel and its banks.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. The bridge was built in 1953, and according to the NHDOT, has not been rebuilt.
6. Repair of the bridge is a benefit to public safety.

2002-02140 WAGNER, JUDY
GILMANTON Unnamed Wetland

Requested Action:

Dredge 19,840 sq ft of forested wetland for construction of a fire pond.

Conservation Commission/Staff Comments:

Conservation commission approves of the project.

APPROVE PERMIT:

Dredge 19,840 sq ft of forested wetland for construction of a fire pond.

With Conditions:

1. All work shall be in accordance with plans by NH Soil Consultants, as received by the Department on September 25, 2003.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
3. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
4. Dredged material shall be placed out of any area that is within the jurisdiction of the DES Wetlands Bureau.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
7. Work shall be done during low flow.

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(e) Construction of a pond with less than 20,000 square feet of impact in a wetland or surface waters, which does not meet the criteria of Wt 303.04(p).
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

2003-00154 PAPE, GERARD
BARRINGTON Mendums Pond

Requested Action:

Construct a 6 ft by 36 ft seasonal wharf with 3 6 ft by 12 ft seasonal finger docks, install a seasonal boatlift with a 10 ft by 20 seasonal canopy, accessed by an existing stairway and by a 10 ft by 4 ft walkway on Mendums Pond, Barrington.

Conservation Commission/Staff Comments:

No response from Con Com by 04/01/03

APPROVE PERMIT:

Construct a 6 ft by 36 ft seasonal wharf with 3 6 ft by 12 ft seasonal finger docks, install a seasonal boatlift with a 10 ft by 20 seasonal canopy, accessed by an existing stairway and by a 10 ft by 4 ft walkway on Mendums Pond, Barrington.

With Conditions:

1. All work shall be in accordance with plans as received by the Department on April 3, 2003.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
3. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to installation.
4. This shall be the only structure on this water frontage and all portions of the structure shall be at least 20 ft from abutting property lines or the imaginary extension of those lines into the water.
5. Seasonal piers shall be removed from the pond for the non-boating season.
6. No portion of the structure shall extend more than 18 feet from the shoreline at full lake elevation.
7. Canopies shall be of flexible fabric and shall be removed for the non-boating season.
8. The boatlift shall be removed for the non-boating season.
9. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(d).
2. The New Hampshire NHI and New Hampshire Fish and Game have no concerns.
3. The applicant has sufficient frontage for 7 boatslips per Wt 402.14.
4. The proposed docking facility will provide for 2 boatslips per RSA 482-A:2:VIII.

2003-00330 CHOMA, CHRISTOPHER & LAURA
MEREDITH Lake Winnepesaukee

Requested Action:

Excavate 336 sq ft of bank along 26 ft 6 in of shoreline to construct a 28 ft 6 in x 12 ft perched beach surrounded by 1 ft rock wall accessed by six 1 ft x 4 ft steps, with three 1 ft x 4 ft steps recessed into the bank accessing the water, and replace 17 linear ft of timber retaining wall with a dry set rock wall on an average of 397 ft of frontage on Black Cat Island, Lake Winnepesaukee.

Conservation Commission/Staff Comments:

Con. Com. did not respond after 40 day hold request.

APPROVE PERMIT:

Excavate 336 sq ft of bank along 26 ft 6 in of shoreline to construct a 28 ft 6 in x 12 ft perched beach surrounded by 1 ft rock wall accessed by six 1 ft x 4 ft steps, with three 1 ft x 4 ft steps recessed into the bank accessing the water, and replace 17 linear ft of timber retaining wall with a dry set rock wall on an average of 397 ft of frontage on Black Cat Island, Lake Winnepesaukee.

With Conditions:

1. All work shall be in accordance with plans by Folsom Design Group dated January 22, 2003, as received by the Department on February 21, 2003.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
5. Repair shall maintain existing size, location and configuration.
6. Retaining wall shall be constructed landward of the shoreline defined by the elevation of normal high water so as not to create land in public water.
7. Dredged or excavated material shall be placed outside of the DES Wetlands Bureau jurisdiction.
8. Stone placed along the beach front for the purpose of retaining sand shall be placed above and/or landward of those rocks currently located along the normal high water line (Elevation 504.32). Those rocks existing at the normal high water line shall remain otherwise undisturbed such that the natural shoreline remains identifiable.
9. The steps installed for access to the water shall be located completely landward of the normal high water line.
10. No more than 20 cu yd of sand may be used and all sand shall be located above the normal high water line.
11. This permit shall be used only once, and does not allow for annual beach replenishment.
12. The applicant shall provide appropriate diversion of surface water runoff to prevent erosion of beach area.
13. Revegetation of trees, shrubs and ground covers representing the density and species diversity of the existing stand of vegetation removed for this project shall begin at a distance no greater than 5 feet landward from the beach area.
14. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement action or revocation action if the DES later determines that these "existing structures" were not previously permitted or grandfathered.
15. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(f), construction of a perched beach utilizing more than 10 cu yds of sand but not more than 20 cu yds of sand.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

2003-00400 BOOTH, HAROLD & EVALINA
MOULTONBOROUGH Lake Winnepesaukee

Requested Action:

Repair two 6 ft x 38 ft cribs supporting two 6 ft x 40 ft 5 in piers, a 4 ft 9 in x 33 ft 9 in, full crib wharf with a 6 ft 7 in walkway, and a 4 ft 9 in x 32 ft 6 in full crib wharf with a 6 ft 9 in walkway all connected by a 4 ft 3 in x 12 ft 2 in walkway in an "H" configuration and install one 3-piling ice cluster on an average of 200 ft of frontage on Moultonborough Neck, Lake Winnepesaukee.

Conservation Commission/Staff Comments:

Con. Com. recommended two small, conforming cribs instead of one long crib.

APPROVE PERMIT:

Repair two 6 ft x 38 ft cribs supporting two 6 ft x 40 ft 5 in piers, a 4 ft 9 in x 33 ft 9 in, full crib wharf with a 6 ft 7 in walkway, and a 4 ft 9 in x 32 ft 6 in full crib wharf with a 6 ft 9 in walkway all connected by a 4 ft 3 in x 12 ft 2 in walkway in an "H" configuration and install one 3-piling ice cluster on an average of 200 ft of frontage on Moultonborough Neck, Lake Winnepesaukee.

With Conditions:

1. All work shall be in accordance with plans by Folsom Design Group dated February 26, 2003, as received by the Department on March 5, 2003.
2. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
3. Appropriate siltation and erosion controls shall be in place prior to construction, maintained during construction, and shall remain until the area is stabilized.
4. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
5. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
6. Repair shall maintain existing size, location and configuration.
7. This permit to replace or repair existing structures shall not preclude the Department of Environmental Services from taking any enforcement action or revocation action if the Department of Environmental Services later determines that these "existing structures" were not previously permitted or grandfathered.
8. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
9. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding areas and spawning areas shall be avoided.
10. Dredged material shall be placed out of any area that is within the jurisdiction of the DES Wetlands Bureau.
11. Crib material shall be timber, concrete, or other material approved by the Department of Environmental Services, and of such size and spacing as necessary to completely contain the ballast.
12. These shall be the only structures on this water frontage and all portions of the structures shall be at least 20 ft from the abutting property lines or the imaginary extension of those lines into the water.
13. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(m), installation of an ice cluster.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. The installation of the ice cluster is less impacting than the repeated repair of the structure and therefore meets the requirements of Rule Wt 402.22, Modification of Existing Structures.

2003-00436

LARPENTER, DEAN

NEWPORT Unnamed Wetland

Requested Action:

Dredge and fill approximately 4,416 square feet of palustrine forested and emergent wetlands and install three 12" x 20' culverts to provide driveway access to 1 lot of a 2 lot subdivision

APPROVE PERMIT:

Dredge and fill approximately 4,416 square feet of palustrine forested and emergent wetlands and install three 12" x 20' culverts to provide driveway access to 1 lot of a 2 lot subdivision

With Conditions:

1. All work shall be in accordance with plans by TFMoran, Inc. dated February 18, 2003, as received by the Department on March 7, 2003.

2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
4. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau.
5. Work shall be done during low flow.
6. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
7. Dredged material shall be placed out of any area that is within the jurisdiction of the DES Wetlands Bureau.
8. Proper headwalls shall be constructed within seven days of culvert installation.
9. Culvert outlets shall be properly rip rapped.
10. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
11. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(h), alteration of less than 20,000 sq ft jurisdictional wetlands;
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

2003-00482

WAUSAU PAPERS OF NH

GROVETON Ammonoosuc River

Requested Action:

Dredge and fill 9,000 square feet within the bed of the Ammonoosuc River to complete repairs to the Brooklyn Dam. Work will include installing a temporary cofferdam, installing a new concrete apron upstream of the four waste gates, replacement of an existing sluice gate, resurfacing the existing dam cribwork, removing 370 cubic yards of accumulated sediments, and replacement (in-kind) of an existing fore bay retaining wall.

APPROVE PERMIT:

Dredge and fill 9,000 square feet within the bed of the Ammonoosuc River to complete repairs to the Brooklyn Dam. Work will include installing a temporary cofferdam, installing a new concrete apron upstream of the four waste gates, replacement of an existing sluice gate, resurfacing the existing dam cribwork, removing 370 cubic yards of accumulated sediments, and replacement (in-kind) of an existing fore bay retaining wall.

With Conditions:

1. All work shall be in accordance with plans by Kleinschmidt Associates dated 3/5/03, as received by the Department on 3/17/03.
2. This permit is contingent on approval from DES Dam Safety Program.
3. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
4. Appropriate siltation/erosion controls shall be in place prior to construction, maintained during construction, and remain until the area is stabilized. Silt fencing must be removed once the area is stabilized.
5. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
6. All work within the bed of the Ammonoosuc River shall be conducted behind a temporary cofferdam and during low flow

conditions between the months of May through September.

7. Construction equipment shall not be located within surface waters.
8. Work shall be conducted in a manner that minimizes turbidity and sedimentation to surface waters and wetlands.
9. Work shall be conducted in a manner that avoids excessive discharges of sediments to fish spawning areas.
10. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
11. Temporary cofferdams shall be entirely removed immediately following construction.
12. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This project is classified as a Minor Project per NH Administrative Rule Wt 303.03(c).
2. The existing upstream apron was failing and allowing excessive flow to bypass the dam. The proposed work will involve a permanent repair to this same area and will ultimately maintain the safety of the dam structure.

MINIMUM IMPACT PROJECT

2002-00857 NH DEPT OF TRANSPORTATION
KENSINGTON Great Spring Brook

Requested Action:

Request to amend the permit to eliminate the headwall on the outlet side, retain the temporary impact area and extend the culvert by 12 feet.

APPROVE AMENDMENT:

AMENDMENT to: Reconstruct the inlet headwall, extend the 30 in. culvert outlet 12 feet beyond the existing temporary culvert to provide 2:1 side slopes impacting a total of 357 sq. ft. of stream and banks. NHDOT project #M611.

With Conditions:

1. All work shall be in accordance with plans by NHDOT District 6 dated 4-3-02 as received by the Department on April 30, 2002 and as amended by NHDOT District 6 dated 3-10-03 as received by the Department on March 25, 2003.
2. Dredged material shall be placed out of the DES Wetlands Bureau jurisdiction.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
4. Construction equipment shall not be located within surface waters.
5. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
6. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
7. Extreme precautions to be taken within riparian areas to limit unnecessary removal of vegetation during road construction and areas cleared of vegetation to be revegetated as quickly as possible.
8. There shall be no further alteration to wetlands or surface waters without amendment of this permit.
9. Proper headwall at the inlet shall be constructed within seven days of culvert installation.
10. Work shall be done during low flow.

ADDED CONDITION:

11. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface

waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This amendment is a minor impact project per Administrative Rule Wt 303.03(l), alteration of less than 200 linear feet of stream and its banks.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.

2002-02345 WITHAM, ALBERT
FREMONT Tributary To Exeter River

Requested Action:

After-the-fact installation of a 26-foot long by 15.5-foot wide concrete and steel grate bridge across a forested swale containing a perennial stream (a tributary to the Exeter River) to access adjacent uplands, impacting 73 square feet of wetlands classified as palustrine, forested scrub-shrub, broad-leaved deciduous, seasonally flooded and saturated.

Inspection Date: 11/24/2002 by Arlene M Allen

APPROVE AFTER THE FACT:

Approve the after-the-fact installation of a 26-foot long by 15.5-foot wide concrete and steel grate bridge across a forested swale containing a perennial stream (a tributary to the Exeter River) to access adjacent uplands, impacting 73 square feet of wetlands classified as palustrine, forested scrub-shrub, broad-leaved deciduous, seasonally flooded and saturated.

With Conditions:

1. All work shall be in accordance with plans by Gary Flaherty & Associates dated 1/13/03, as received by the Department on 1/22/03.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
4. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
5. Work shall be conducted in a manner that avoids excessive discharges of sediments to fish spawning areas.
6. The streambanks in and around the bridge abutments shall be properly rip rapped.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(h), alteration of perennial stream to install a bridge to uplands.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

2003-00198 KELLEHER, JOHN
MILTON Milton Three Ponds

Requested Action:

Applicant requests reconsideration of denial to construct a perched beach and terrace.

Conservation Commission/Staff Comments:

applicant submitted same application as 2002-01769, which was denied

DENY RECONSIDERATION:

Reconsider and reaffirm denial of request to: Remove an existing 14 ft x 16 ft deck to construct an 18 ft x 18 ft perched beach with a 1 ft wide perimeter wall on the shoreline, and construct a 13 ft x 24 ft terrace on an average of 92 feet of frontage on Milton Three Ponds in Milton.

With Findings:

Standards for Approval

1. In accordance with RSA 483-B:1, Purpose, "I. [t]he shorelands of the state are among its most valuable and fragile natural resources" and "II. [t]he public waters of New Hampshire are valuable resources held in trust by the state. The state has an interest in protecting those waters and has the jurisdiction to control the use of the public waters and the adjacent shoreland for the greatest public benefit."
2. In accordance with RSA 483-B:2, Minimum Standards Required, "[t]he development standards provided in this chapter shall be the minimum standards necessary to:" "II. Provide for the wise utilization of water and related land resources," "V. Protect buildings and lands from flooding and accelerated erosion," and "IX. Control building sites, placement of structures, and land uses."
3. In accordance with RSA 483-B:6, I,(b) Prior Approval; Permits, any person intending to "[c]onstruct a water dependent structure, alter the bank, or construct or replenish a beach shall obtain approval and all necessary permits pursuant to RSA 482-A."
4. In accordance with RSA 483-B:6, II, Prior Approval; Permits, "[i]n applying for these approvals and permits, such persons shall demonstrate to the satisfaction of the department that the proposal meets or exceeds the development standards of this chapter."
5. In accordance with RSA 483-B:3, Consistency Required, "[a]ll state agencies shall perform their responsibilities in a manner consistent with the intent of this chapter. State and local permits for work within the protected shorelands shall be issued only when consistent with the policies of this chapter."
6. In accordance with Rule Wt 101.05, beach, means a sloping shore of a surface water body consisting of sand or gravel extending from adjacent upland/wetland to or in a surface water body.
7. In accordance with RSA 483-B:4, Definitions, "II. [a]ccessory structure means a structure, as defined in paragraph XXII of this section, on the same lot and customarily incidental and subordinate to the primary structure, as defined in paragraph XIV of this section; or a use, including but not limited to paths, driveways, patios, any other improved surface, pump houses, gazebos, woodsheds, garages, or other outbuildings."
8. In accordance with RSA 483-B and Administrative Rule Env-Ws 1405.05, no structure shall be built on a slope greater than 25 percent.
9. In accordance with Administrative Rule Wt 101.78, a structure is something installed, erected or constructed. Structure(s) are to include, but are not limited to the following: fence, dock, breakwater, wall, and beach.
10. According to Administrative Rule Wt 302.04(d), the department shall not grant a permit if the applicant fails to document that the proposed alternative is the one with the least adverse impact to areas and environments under the department's jurisdiction, or if the applicant proposes unnecessary destruction of wetlands.
11. This project is classified as a minor project per Rules Wt 303.03(f), construction of a perched beach that utilizes more than 10 cu yd of sand, but not more than 20 cu yards of sand.

Findings of Fact

12. On February 3, 2003, the DES Wetlands Bureau received an application for construction of a perched beach and a walk-out terrace on property located on Town of Milton Tax Map 33, Lot 69, having approximately 90.2 feet of shoreline frontage on Milton Three Ponds.
13. The proposed beach is located on an average slope of 38 percent.
14. The proposed terrace is located on an average slope of 38 percent.
15. The applicant previously submitted the same application for the same project and was denied September 30, 2002. The applicant applied for a reconsideration and was denied January 7, 2003.
16. The applicant was denied on March 18, 2003, and has applied for a reconsideration, received within the 20 day requirement by the Department on April 3, 2003.

17. On January 9, 2001, the Wetlands Bureau issued a policy statement explaining that RSA 483-B and the Rule Env-Ws 1405.05 prohibited impacts to slopes greater than 25%, therefore, there would be no future permitting of structures in these slopes.
18. The applicant maintains that the perched beach on the application plan meets the requirements under Rule Wt 303.04, construction of a beach.
19. The applicant maintains that under 483-B:4, Definitions, accessory structure means "a structure detached from the primary building or use, such as a pumphouse, gazebo or woodshed." 20. As such, the applicant proposes that a beach is not included as an accessory structure and therefore would not fall under Env-Ws 1405.05, prohibiting the construction of accessory structures on land having greater than 25% slope.
21. The applicant proposes that the beach is consistent with applicable rules as published and should not be restricted.
22. The applicant maintains that the proposed terrace is under the jurisdiction of RSA 483-B with apparently no action taken by the Wetlands Bureau.
23. The proposed terrace is within the bank and therefore, within the jurisdiction of the Wetlands Bureau and was included in the April 3, 2003 denial.

Findings in Support of Decision

24. A permit is required for the construction of the terrace and beach per RSA 482-A. In accordance with RSA 483-B:3, the permit shall be issued only if the project complies with the intent and policies of RSA 483-B.
25. The definition of accessory structure in RSA 483-B:4 contains the language "including but not limited to" and "any other improved surface," therefore the failure to specifically name beaches and terraces does not preclude their classification as accessory structures.
26. Rule Env-Ws 1405.05 prohibits construction on slopes greater than 25%, and the act of excavating to construct in the slope would cause greater instability and exposure of soils to erosion. Therefore it would not be consistent with the intent of RSA 483-B:2,V to allow the construction of the beach and terrace "in" a slope of greater than 25%.
27. The applicant has failed to provide evidence of the least impacting alternative as required per Rule Wt 302.04(a).
28. The applicant has failed to meet the requirements for proposed beach and terrace construction established under RSA chapters 482-A and 483-B and therefore, the application shall be denied in accordance with Rule Wt 501.02(b).
30. As such, the applicant's request for reconsideration is denied.

2003-00267 GILLICK, THOMAS
HAMPTON Atlantic Ocean

Requested Action:

Impact 750 square feet of developed tidal buffer zone to remove an existing garage/storage building and construct on the existing slab, a single-family residence within the existing footprint.

Conservation Commission/Staff Comments:

Hampton Conservation Commission signed application on 2/3/2003.

Inspection Date: 04/01/2003 by Christina Altimari

APPROVE PERMIT:

Impact 750 square feet of developed tidal buffer zone to remove an existing garage/storage building and construct on the existing slab, a single-family residence within the existing footprint.

With Conditions:

1. All work shall be in accordance with plans by E.J. Cote & Associates, Inc. dated July 18, 2002 with revisions dated September 12, 2003, as received by the Department on February 10, 2003.
2. This permit is contingent upon the applicant's agreement, as stated in a letter to DES dated December 9, 2002, to plant a mixture of blueberry, barberry, and winterberry bushes approximately 15 inches tall and on 3-foot centers on the south edge of the marsh, on the north of the building, and continuing to the west along the property line.
3. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will

require a new application and approval by the Bureau.

4. Coastal staff shall be notified in writing prior to commencement of work and upon completion.
5. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
6. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
7. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(b).
2. The applicant has provided evidence that demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the Department's jurisdiction per Wt 302.03.
3. The proposed development is within the previously developed tidal buffer zone.
4. According to the Comprehensive Shoreland Protection Act, the existing structure is a nonconforming structure, and will be replaced within the same footprint and on the existing slab foundation.
5. This approval is consistent with other approvals in developed tidal buffer zone areas.

2003-00329 BURKE, GEORGE & DONNA
HAMPTON Hampton Harbor Inlet

Requested Action:

Impact 386 square feet within a sand dune jurisdiction area for the construction of two (2) additions to an existing single family residence.

Inspection Date: 03/10/2003 by Christina Altimari

APPROVE PERMIT:

Impact 386 square feet within a sand dune jurisdiction area for the construction of two (2) additions to an existing single family residence.

With Conditions:

1. All work shall be in accordance with plans by Cynthia Howard, Architect dated November 18, 2002, as received by the Department on February 21, 2003.
2. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
3. Coastal staff and the Hampton Conservation Commission shall be notified in writing prior to commencement of work and upon completion.
4. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on other areas within DES jurisdiction.
5. All construction shall be contained within the previously developed area within the limits of the existing seawall, and shall not impact the sand dunes existing outside of the seawall.
6. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized.

With Findings:

1. The NH Natural Heritage Inventory (NHNHI) has record of two state endangered plant species within the project vicinity, Gray's Umbrella-Sedge (*Cyperus grayi*) and Sea-Beach Needlegrass (*Aristida tuberculosa*), three state threatened plant species within the project vicinity, Hairy Hudsonia (*Hudsonia tomentosa*), Sand Drop-Seed (*Sporobolus cryptandrus*), and Tall Wormwood (*Artemisia campestris*), and record of a species of special concern within the project vicinity, Beach Grass (*Ammophila breviligulata*).
2. NHNHI has record of one natural community of special concern within the project vicinity, a SNE Coastal Dune Community.
3. DES field inspection on March 10, 2003 finds that none of the threatened or endangered species, or the natural community of

special concern are located on the property, and therefore will not be impacted as a result of the project.

4. This proposed project location is within a developed area of the property which has no remaining dune vegetation or dune function other than its position in the landscape. The proposed project will not encroach upon the exiting sand dunes on the property.

5. This approval is consistent with other approvals in developed sand dune areas.

6. Based on the above-listed findings, this project is deemed minimum impact per Wt. 303.04(o).

2003-00340 FANEROS, ARTHUR
SEABROOK Atlantic Ocean

Requested Action:

Temporarily impact 300 square feet within a sand dune jurisdiction area for the replacement of an existing 75-foot long seawall along a single-family residence on Seabrook Beach.

Inspection Date: 03/10/2003 by Christina Altimari

APPROVE PERMIT:

Temporarily impact 300 square feet within a sand dune jurisdiction area for the replacement of an existing 75-foot long seawall along a single-family residence on Seabrook Beach.

With Conditions:

1. All work shall be in accordance with plans by O'Sullivan Architects dated January 14, 2003, as received by the Department on February 24, 2003.
2. Dimensions of the proposed retaining wall shall not exceed the footprint of the existing retaining wall.
3. All work shall be done from the landward side of the retaining wall in order to avoid accidental encroachment of equipment into other areas of DES' jurisdiction, specifically any areas which may provide habitat for the state endangered vertebrate species, the Piping Plover (*Charadrius melodus*).
4. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
5. Coastal staff shall be notified in writing prior to commencement of work and upon completion.
6. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
7. Appropriate siltation, erosion, and turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized.

With Findings:

1. The NH Natural Heritage Inventory (NHNHI) has record of one state endangered vertebrate species within the project vicinity, the Piping Plover (*Charadrius melodus*), two state threatened plant species within the project vicinity, Hairy Hudsonia (*Hudsonia tomentosa*) and Tall Wormwood (*Artemisia campestris*), and record of one species of special concern within the project vicinity, Beach Grass (*Ammophila breviligulata*).
2. DES field inspection on March 10, 2003 finds that none of the threatened or endangered species, or species of special concern are located on the property which is completely developed, and therefore will not be impacted as a result of the project.
3. This proposed retaining wall will be located within the footprint of the existing wall; however, will be constructed one-foot higher than the existing seawall in order to match the height of the abutting seawall.
4. The property itself has no remaining dune vegetation or dune function other than its position in the landscape.
5. This approval is consistent with other approvals along Seabrook Beach.
6. Based on the above-listed findings, this project is deemed minimum impact per Wt. 303.04(o).

2003-00388 BENSON, CHARLES & SUSAN
TUFTONBORO Lake Winnepesaukee

Requested Action:

Permanently remove an existing 40 ft x 4 ft floating dock existing attached to a 23 ft x 6 ft crib dock, relocate an existing 4 ft x 6 ft concrete pad on the shoreline, and install a 6 ft x 40 ft seasonal hinged dock on an average of 625 ft of frontage on Little Bear Island, Lake Winnepesaukee.

Conservation Commission/Staff Comments:

Con. Com. signed

APPROVE PERMIT:

Permanently remove an existing 40 ft x 4 ft floating dock existing attached to a 23 ft x 6 ft crib dock, relocate an existing 4 ft x 6 ft concrete pad on the shoreline, and install a 6 ft x 40 ft seasonal hinged dock on an average of 625 ft of frontage on Little Bear Island, Lake Winnepesaukee.

With Conditions:

1. All work shall be in accordance with plans by Watermark Marine Construction dated February 7, 2003, as received by the Department on March 3, 2003.
2. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
3. All portions of the existing docking facility shall be completely removed from the frontage prior to the installation of the new pier.
4. Appropriate siltation and erosion controls shall be in place prior to construction, maintained during construction, and shall remain until the area is stabilized.
5. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
6. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
7. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
8. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding areas and spawning areas shall be avoided.
9. All construction related debris shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
10. Seasonal piers shall be removed for the non-boating season.
11. This shall be the only structure on this water frontage and all portions of the structure shall be at least 20 ft from the abutting property lines or the imaginary extension of those lines into the water.
12. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(d), modification of an existing permanent pier.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

2003-00435 NH DEPT OF TRANSPORTATION
PLYMOUTH Pemigewasset River

Requested Action:

Relocate an existing drainage outlet to accommodate the construction of a barrier wall impacting 12 linear feet of bank, 8 linear feet of channel and a total area of 1,836 sq. ft. in jurisdiction (1,646 sq. ft. temporary).

APPROVE PERMIT:

Relocate an existing drainage outlet to accommodate the construction of a barrier wall impacting a total of 1,836 sq. ft. (1,646 sq. ft. temporary). NHDOT project #11849B.

With Conditions:

1. All work shall be in accordance with plans by NHDOT Bureau of Highway Design as received by the Department on March 7, 2003.
2. Dredged material shall be placed out of the DES Wetlands Bureau jurisdiction.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
4. Construction equipment shall not be located within surface waters.
5. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
6. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
7. Extreme precautions to be taken within riparian areas to limit unnecessary removal of vegetation during road construction and areas cleared of vegetation to be revegetated as quickly as possible.
8. There shall be no further alteration to wetlands or surface waters without amendment of this permit.
9. Culvert outlet shall be properly rip rapped and stabilized prior to re-routing flow.

2003-00519 PEASE DEV. AUTHORITY - DIV. OF PORTS & HARBORS
HAMPTON Hampton Harbor

Requested Action:

Conduct necessary maintenance and repairs at the Pease Development Authority-Division of Ports and Harbors Hampton pier facility, including the following:

at the Commercial Dock: install 4' x 30' aluminum replacement gangway ramp; replace (10) fender piles; replace 300 linear ft. of capping on existing bulkhead;

at the Public Dock: install 4' x 30' aluminum replacement gangway ramp; replace (8) guide piles; replace (12) twelve pilings and decking on existing 73' x 8' pier;

in the tidal buffer zone: remove 800 sq. ft. of bituminous pavement including 3 concrete pads, install appropriate sub-base and repave; install new 4' x 10' concrete abutment for pier; install (6) six parking bollards with chain railing.

Conservation Commission/Staff Comments:

Recommends approval.

APPROVE PERMIT:

Conduct necessary maintenance and repairs at the Pease Development Authority-Division of Ports and Harbors Hampton pier facility, including the following:

at the Commercial Dock: install 4' x 30' aluminum replacement gangway ramp; replace (10) fender piles; replace 300 linear ft. of capping on existing bulkhead;

at the Public Dock: install 4' x 30' aluminum replacement gangway ramp; replace (8) guide piles; replace (12) twelve pilings and decking on existing 73' x 8' pier;

in the tidal buffer zone: remove 800 sq. ft. of bituminous pavement including 3 concrete pads, install appropriate sub-base and repave; install new 4' x 10' concrete abutment for pier; install (6) six parking bollards with chain railing.

With Conditions:

1. All work shall be in accordance with plans by Maguire Group dated March 14, 2003, as received by the Department on March

24, 2003.

2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
3. Coastal staff shall be notified in writing prior to commencement of work and upon completion.
4. Repair shall maintain existing size, location and configuration.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, maintained during construction, and shall remain until the area is stabilized.
6. Excavated material shall be placed out of any area that is within the jurisdiction of the DES Wetlands Bureau, and disposed of in a manner appropriate to the nature of the material.
7. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.

With Findings:

1. The project as proposed will maintain the existing facility with no expansion.
2. This is a minimum impact project per Wt 303.04 (v), repair of existing structures including docking facilities; and per Wt 303.04 (b), projects within the developed upland tidal buffer zone.
3. This project represents necessary maintenance and repair of an existing State facility that provides public water access and is in the interest of the general public.

2003-00544

SHANE, HOWARD

TUFTONBORO Lake Winnepesaukee

Requested Action:

Replace an existing nonconforming 8 ft x 40 ft piling dock with a 6 ft x 30 ft permanent pier on an average of 900 ft of frontage on Twentymile Bay, Lake Winnepesaukee.

Conservation Commission/Staff Comments:

Con. Com. signed application.

APPROVE PERMIT:

Replace an existing nonconforming 8 ft x 40 ft piling dock with a 6 ft x 30 ft permanent pier on an average of 900 ft of frontage on Twentymile Bay, Lake Winnepesaukee.

With Conditions:

1. All work shall be in accordance with plans by Vaune Dugan dated March 5, 2003, as received by the Department on March 31, 2003.
2. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
3. Appropriate siltation and erosion controls shall be in place prior to construction, maintained during construction, and shall remain until the area is stabilized.
4. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
5. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
6. This permit to replace or repair existing structures shall not preclude the Department of Environmental Services from taking any enforcement action or revocation action if the Department of Environmental Services later determines that these "existing structures" were not previously permitted or grandfathered.
7. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
8. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding areas and spawning areas

shall be avoided.

9. Repairs to these structures may be conducted, as necessary, throughout the duration of this permit provided that the permittee notifies the Wetlands Bureau and Conservation Commission, in writing, of the proposed start and completion date prior to performing any repair.

10. These shall be the only structures on this water frontage and all portions of the dock shall be at least 20 ft from the abutting property lines or the imaginary extension of those lines into the water.

11. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(v), repair of an existing dock with a reduction in overall impact.

2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.

3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.

4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

FORESTRY NOTIFICATION

2003-00602 LOYND, STEPHEN
WOODSTOCK Unnamed Stream

COMPLETE NOTIFICATION:
Woodstock Tax Map 212, Lot# 6.1

2003-00603 BOOTH, KEITH & YVONNE
LYMAN Unnamed Stream

COMPLETE NOTIFICATION:
Lyman Tax Map 170, Lot# 145

2003-00604 RHODES REALTY, LLOYD RHODES
TAMWORTH Unnamed Stream

COMPLETE NOTIFICATION:
Tamworth Tax Map 205, Lot# 26, 27 & 29

2003-00611 FREE TRADE INC.
ROCHESTER Unnamed Stream

COMPLETE NOTIFICATION:
Rochester Tax Map 253, Lot# 86

2003-00612 AB THOMPSON TRUST, C/O STATE STREET BANK
TAMWORTH Unnamed Stream

COMPLETE NOTIFICATION:
Tamworth Tax Map 203, Lot# 41

2003-00613 FROMER, KATHIE
MASON Unnamed Stream

COMPLETE NOTIFICATION:
Mason Tax Map G, Lot# 55, 56 & 57

2003-00614 KAMM, KEVIN & K. LAMBERT-KAMM
RINDGE Unnamed Stream

COMPLETE NOTIFICATION:
Rindge Tax Map 10, Lot# 2

2003-00630 HIGH-FOREST PARTNERS, LLC
CHESTERFIELD Unnamed Stream

COMPLETE NOTIFICATION:
Chesterfield Tax Map 25, Lot# 2

2003-00631 TROTT, CAROL
MILFORD Unnamed Stream

COMPLETE NOTIFICATION:
Milford Tax Map 39, Lot# 74

2003-00632 WASHBURN, MALCOLM
CLARKSVILLE Unnamed Wetland

COMPLETE NOTIFICATION:
Clarksville Tax Map R7, Lot# 1-2

2003-00634 ALBRIGHT CHILDREN'S TRUST, C/O ERNEST MONARD TTEE
MASON Unnamed Stream

COMPLETE NOTIFICATION:
Mason Tax Map L, Lot# 21

2003-00652 HILDRETH, DEBORAH
HOLLIS Unnamed Stream

COMPLETE NOTIFICATION:

Hollis Tax Map 22, Lot# 28,33,34,41,42,43,44,45,46,47 &49

2003-00655 RICE, HAROLD "CHIP"
HENNIKER Unnamed Stream

COMPLETE NOTIFICATION:

Henniker Tax Map 1, Lot# 71A & 72

2003-00660 PIKE, DORIS
LYNDEBOROUGH Unnamed Stream

COMPLETE NOTIFICATION:

Lydneboro Tax Map 11, Lot# 23

2003-00665 FADDEN, THOMAS
CONWAY Unnamed Stream

Conservation Commission/Staff Comments:

No USGS map. Computer map is not at a useable scale. Digitized from tax map.

COMPLETE NOTIFICATION:

Conway Tax Map 243, Lot# 12

EXPEDITED MINIMUM

2001-00481 JORDON, ANN MARIE
NOTTINGHAM Unnamed Wetland

Requested Action:

Amend permit to increase the size of the proposed culvert from 15" to 24" and change the name to Ann Marie Jordan (9-9 Foxtail Lane, Goffstown, NH 03045).

APPROVE AMENDMENT:

Change permit name to Ann Marie Jordan and amend permit to read as follows: Impact 825 sq. ft. of an intermittent stream and install a 24" culvert to provide driveway access to one lot (15-12-2) in a proposed three lot subdivision.

With Conditions:

1. All work shall be in accordance with plans by O'Neil Survey and Associates dated January 7, 2001 (last revised February 12, 2001) and revised detail plan received by the Department on April 15, 2003.
2. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
3. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #2 of this

approval.

4. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau.

5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.

6. Work shall be done during low flow.

2002-01996 GUNSTOCK AREA COMMISSION
GILFORD Gunstock Pond

Requested Action:

Excavate approx. 800 sq. ft. to repair an existing dam and spillway structure.

APPROVE PERMIT:

Excavate approx. 800 sq. ft. to repair an existing dam and spillway structure.

With Conditions:

1. All work shall be in accordance with plans by GEI Consultants, Inc. dated March 2003, and modified Construction Sequence (revised March 3, 2002) as received by the Department on March 11, 2003.
2. This permit is contingent on approval by the DES Dam Safety Program.
3. All work shall be done following pond drawdown.
4. Water transferred from the pond to the downstream reach may be transferred directly only if the intake in the pond is situated in water with turbidity less than 10 NTU above background. The length of the transfer hose shall, therefore, be contingent on the location of water where turbidity is less than 10 NTU above background.
5. To avoid any disturbance to the bottom sediments during withdrawal, the intake shall be situated so as to allow only surface layers to be withdrawn and transferred.
6. Water that exceeds 10 NTU above background at the intake and any water within the excavation area shall not be directly transferred to the downstream reach. It shall instead be transferred to a filter bag - haybale filtration system at an upland location, within the catchment of the pond, with sufficient vegetative cover to allow for supplemental overland filtration.
7. The applicant shall ensure that the water conveyance apparatus does not contain oil, grease, or solvents prior to any water pumping activities.
8. Unconfined work within the river, exclusive of work associated with installation of a cofferdam, shall be done during periods of low flow.
9. Cofferdams shall not be installed during periods of high flow, whether due to seasonal runoff or precipitation.
10. Temporary cofferdams shall be entirely removed immediately following construction.
11. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
12. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
13. The applicant shall ensure that activities related to this project do not violate NH surface water quality standards.
14. Work shall be conducted in a manner that avoids excessive discharges of sediments to fish spawning areas.
15. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

2003-00094 VACHON, MARK & KAREN
SUNAPEE Lake Sunapee

Requested Action:

Replace an existing 14 x 19 foot crib supporting a 16 x 20 foot dock and the existing stone and mortar foundation of a 16 x 25 foot boathouse on Lake Sunapee.

Conservation Commission/Staff Comments:

The Conservation Commission signed this Minimum Impact Expedited Permit Application.

APPROVE PERMIT:

Replace an existing 14 x 19 foot crib supporting a 16 x 20 foot dock and the existing stone and mortar foundation of a 16 x 25 foot boathouse on Lake Sunapee.

With Conditions:

1. All work on the boathouse shall be in accordance with plans by Rick Green, Central Lakes Dock Co., Inc. dated January 7, 2003, as received by the Department on January 17, 2003, and narrative by Richard L. Green, Central Lakes Dock Co., Inc. dated February 16, 2003, as received by the Department on February 19, 2003.
2. All work on the crib shall be in accordance with plans by Richard Green, Central Lakes Dock Co., Inc. dated April 3, 2003, as received by the Department on April 3, 2003, and narrative by Richard L. Green, Central Lakes Dock Co., Inc. dated February 16, 2003, as received by the Department on February 19, 2003.
3. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement action or revocation action if the DES later determines that these "existing structures" were not previously permitted or grandfathered.
4. Additional expedited minimum impact applications shall be accepted for the subject property for a period of 12 months only if the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application and when considered with the original application are not classified as minor or major.
5. Work authorized shall be carried out such that discharges shall be avoided in spawning or nursery areas during spawning seasons, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
6. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding and nesting areas shall be avoided.
7. Repair shall maintain existing size, location and configuration.
8. The maximum size of the crib shall not exceed 19 feet long by 14 feet wide and of such height as necessary to support the docking structure above the water level.
9. Work shall be done during drawdown.
10. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
11. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and water at the work site has returned to normal clarity.
12. All construction related debris shall be placed outside of the areas under the jurisdiction of the DES Wetlands Bureau.
13. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(v), repair, as defined in Wt 101.65, of existing structures.
2. The Sunapee Conservation Commission submitted a letter to DES verifying that the dock and boathouse have been in use for the last 13 years and that the information presented in the application is accurate.

2003-00293

SIRAVO, STEVE

GILMANTON IRON WORKS Unnamed Wetland

Requested Action:

Dredge and fill 90 square feet of forested wetland and roadside ditch to provide vehicular access to 2 single family building lots in a 3-lot subdivision. Restore 2,652 square feet of previously disturbed forested wetland.

Conservation Commission/Staff Comments:

The Gilmanton Conservation Commission signed this Minimum Impact Expedited application.

APPROVE PERMIT:

Dredge and fill 90 square feet of forested wetland and roadside ditch to provide vehicular access to 2 single family building lots in a 3-lot subdivision. Restore 2,652 square feet of previously disturbed forested wetland.

With Conditions:

1. All work shall be in accordance with plans by Brian L. Bailey Associates, Inc., Turning Point Land Surveyors and Land Planners dated December 23, 2002, last revised January 20, 2003, as received by the Department on February 20, 2003 (Approved Plans).
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
4. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition 3 of this approval.
5. This permit shall not be effective until it has been recorded with the county Registry of Deeds office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
6. Work shall be done during low flow.
7. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized. Silt fence must be removed no later than November 1, three full growing seasons after planting.
8. Dredged material shall be placed out of any area that is within the jurisdiction of the DES Wetlands Bureau.
9. This permit is contingent upon the restoration 2,652 square feet of forested wetlands in accordance with the Approved Plans.
10. Construction of the restoration area shall commence within 3 business days of completion of the new access area.
11. The mitigation area shall be properly constructed, monitored, and managed in accordance with approved final Approved Plans.
12. Wetland restoration areas shall be properly constructed, landscaped, monitored and remedial actions taken that may be necessary to create functioning wetland areas. Remedial measures may include replanting, relocating plantings, removal of invasive species, changing soil composition and depth, changing the elevation of the wetland surface, and changing the hydraulic regime.
13. The permittee shall designate a qualified professional who will be responsible for monitoring and ensuring that the mitigation areas are constructed in accordance with the mitigation plan. The Wetlands Bureau shall be notified in writing of the designated professional prior to the start of work and if there is a change of status during the project.
14. The permittee shall notify DES and the local conservation commission in writing of their intention to commence construction no less than 5 business days prior to construction.
15. A post-construction report documenting the status of the completed project with photographs shall be submitted to the Wetlands Bureau within 60 days of the completion of construction.
16. Wetland (creation/restoration) areas shall have at least 75% successful establishment of wetlands vegetation after two (2) growing seasons, or shall be replanted and re-established until a functional wetland is replicated in a manner satisfactory to the DES Wetlands Bureau.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(f), alteration of less than 3,000 square feet of forested wetland.
2. As compensation for a new 90 square foot wetland impact for access, a pre-existing 2,652 square foot fill area that provides access to the property will be removed and wetland functions restored upon completion of the new access area.
3. On April 15, 2003, DES received a letter from the Town of Gilmanton authorizing impacts to wetlands in their right-of-way for this project.

2003-00318 **EVANS, BEVERLY**
ALTON **Lake Winnepesaukee**

Requested Action:

Amend permit to remove condition #11, "Work to be done during drawdown."

Conservation Commission/Staff Comments:

The Alton Conservation Commission signed this minimum impact expedited permit application, and expressed concern that the application does not explicitly address whether the roof is to be replaced following the proposed crib replacement. The construction sequence submitted with the plans, dated February 3, 2003, clarifies this issue. It states that the roof will be removed during

construction and replaced after the new crib is installed.

APPROVE AMENDMENT:

Repair existing cribs supporting two 5' x 25'8" docks and one 6' x 25'8" dock connected by a 5'4" x 35'10" walkway in a "W" configuration, and a 15'6" x 28' open-sided boathouse on 100.8 feet of frontage on Lake Winnepesaukee.

With Conditions:

1. All work shall be in accordance with plans by Winnepesaukee Marine Construction dated February 3, 2003, as received by the Department on February 24, 2003.
2. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
3. Repair shall maintain existing size, location and configuration.
4. This permit does not allow for maintenance dredging.
5. Repairs to these structures may be conducted, as necessary, throughout the duration of this permit provided that the permittee notifies the Wetlands Bureau and Conservation Commission, in writing, of the proposed start and completion date prior to performing any repair.
6. This permit to replace or repair existing structures shall not preclude the Department of Environmental Services from taking any enforcement action or revocation action if the Department of Environmental Services later determines that these "existing structures" were not previously permitted or grandfathered.
7. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
8. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding areas and spawning areas shall be avoided.
9. Crib material shall be timber, concrete, or other material approved by the Department of Environmental Services, and of such size and spacing as necessary to completely contain the ballast.
10. Rocks shall not be stockpiled in jurisdiction or within 20 feet of an abutting property line or the imaginary extension of that line over water.
11. Appropriate siltation/erosion/turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
12. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(v), repair of an existing docking facility.
2. The replacement of those portions of the boathouse of the waterline with new structures having the same size, location and configuration does not require a permit from the Wetlands Bureau.

2003-00374

MEREDITH, TOWN OF

MEREDITH Unnamed Stream

Requested Action:

Dredge and fill approximately 10 square feet within the bank of an intermittent stream to install a vegetated treatment swale at the outlet of an 130 foot HDPE pipe.

Conservation Commission/Staff Comments:

This minimum impact expedited application was signed by the Meredith Conservation Commission.

APPROVE PERMIT:

Dredge and fill approximately 10 square feet within the bank of an intermittent stream to install a vegetated treatment swale at the outlet of an 130 foot HDPE pipe.

With Conditions:

1. All work shall be in accordance with plans by Michael Faller dated April 4, 2003, as received by the Department on April 7, 2003.
2. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized. Silt fence must be removed once the area is stabilized.
3. Dredged material shall be placed out of any area that is within the jurisdiction of the DES Wetlands Bureau.
4. Vegetation of the drainage swale area shall have at least 75% successful establishment prior to directing flow to it.
5. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(w), excavation of less than 10 linear feet within the bank for installation of a culvert outlet and treatment swale.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. DES Staff conducted a field inspection of the proposed project on April 3, 2003. Field inspection determined that roadway is currently flooded and needs immediate attention. The "drainage swale" is an intermittent stream with discharges directly to Lake Winnepesaukee.
6. The "low flow" condition was not applied to this permit because the roadway is flooded and work must be conducted immediately.
7. Treatment of the storm water was requested as this intermittent stream discharges into Lake Winnepesaukee a class B water body.

2003-00488 STONE, RICHARD
TUFTONBORO Lake Winnepesaukee

Requested Action:

Install a 9 ft x 10 ft seasonal boatlift in the slip of an existing 4 ft x 24 ft seasonal dock on an average of 100 ft of frontage on Chases Island, Lake Winnepesaukee.

Conservation Commission/Staff Comments:

Con. Com. signed application.

APPROVE PERMIT:

Install a 9 ft x 10 ft seasonal boatlift in the slip of an existing 4 ft x 24 ft seasonal dock on an average of 100 ft of frontage on Chases Island, Lake Winnepesaukee.

With Conditions:

1. All work shall be in accordance with plans by Richard Stone, as received by the Department on March 20, 2003.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. Additional expedited minimum impact applications shall be accepted for the subject property for a period of 12 months only if the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application and when considered with the original application are not classified as minor or major.

5. Work authorized shall be carried out such that discharges shall be avoided in spawning or nursery areas during spawning seasons, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
6. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding and nesting areas shall be avoided.
7. Seasonal structures shall be removed for the non-boating season.
8. These shall be the only structures on this water frontage and all portions of the dock shall be at least 20 ft. from the abutting property lines or the imaginary extension of those lines into the water.
9. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(a), construction or modification of a seasonal structure.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

2003-00505 BLISS, ROBERT & PRUDENCE
MEREDITH Lake Winnepesaukee

Requested Action:

Replace and repair in kind, existing 5 ft x 49 ft 9 in piling pier with three tie-off pilings accessed by 3 ft x 12 ft 6 in walkway, and existing 12 ft 4 in x 22 ft 7 in piling and pipe dock accessed by a 4 ft x 5 ft 2 in x 7 ft 10 in walkway with three 1 ft x 3 ft stairs on an average of 109 ft of frontage on Meredith Bay, Lake Winnepesaukee.

Conservation Commission/Staff Comments:

Con. Com. signed application.

APPROVE PERMIT:

Replace and repair in kind, existing 5 ft x 49 ft 9 in piling pier with three tie-off pilings accessed by 3 ft x 12 ft 6 in walkway, and existing 12 ft 4 in x 22 ft 7 in piling and pipe dock accessed by a 4 ft x 5 ft 2 in x 7 ft 10 in walkway with three 1 ft x 3 ft stairs on an average of 109 ft of frontage on Meredith Bay, Lake Winnepesaukee.

With Conditions:

1. All work shall be in accordance with plans by Folsom Design Group dated February 28, 2003, as received by the Department on March 24, 2003.
2. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, maintained during construction, and shall remain until the area is stabilized.
4. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
5. Repair shall maintain existing size, location and configuration.
6. This permit to replace or repair existing structures shall not preclude the Department of Environmental Services from taking any enforcement action or revocation action if the Department of Environmental Services later determines that these "existing structures" were not previously permitted or grandfathered.
7. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
8. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding areas and spawning areas shall be avoided.
9. Additional expedited minimum impact applications shall be accepted for the subject property for a period of 12 months only if the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application and

when considered with the original application are not classified as minor or major.

10. These shall be the only structures on this water frontage and all portions of the dock shall be at least 20 ft. from the abutting property lines or the imaginary extension of those lines into the water.

11. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This project is classified as a minimum impact project per Rule Wt 303.04(v), repair of existing structures with no change in size, location or configuration.

2003-00507 LOFBLAD, ROBERT & BARBARA
GILFORD Lake Winnepesaukee

Requested Action:

Repair and replace in kind, existing 6 ft x 32 ft piling pier connected to a 6 ft x 42 ft piling pier with a 6 ft x 11 ft 11 in walkway accessed by 4 ft x 6 ft stairs on an average of 200 ft of frontage on Lake Winnepesaukee.

Conservation Commission/Staff Comments:

Digitized by guess. The tax map and USGS map show locations about 1300 feet apart.

Con. Com. signed application.

APPROVE PERMIT:

Repair and replace in kind, existing 6 ft x 32 ft piling pier connected to a 6 ft x 42 ft piling pier with a 6 ft x 11 ft 11 in walkway accessed by 4 ft x 6 ft stairs on an average of 200 ft of frontage on Lake Winnepesaukee.

With Conditions:

1. All work shall be in accordance with plans by Watermark Marine Construction dated March 4, 2003, as received by the Department on March 24, 2003.

2. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.

3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, maintained during construction, and shall remain until the area is stabilized.

4. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.

5. Repair shall maintain existing size, location and configuration.

6. This permit to replace or repair existing structures shall not preclude the Department of Environmental Services from taking any enforcement action or revocation action if the Department of Environmental Services later determines that these "existing structures" were not previously permitted or grandfathered.

7. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.

8. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding areas and spawning areas shall be avoided.

9. Additional expedited minimum impact applications shall be accepted for the subject property for a period of 12 months only if the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application and when considered with the original application are not classified as minor or major.

10. These shall be the only structures on this water frontage and all portions of the dock shall be at least 20 ft. from the abutting property lines or the imaginary extension of those lines into the water.

11. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This project is classified as a minimum impact project per Rule Wt 303.04(v), repair of existing structures with no change in size, location or configuration.

2003-00509 NATIONAL SOCIETY OF COLONIAL DAMES
PORTSMOUTH Piscataqua River

Requested Action:

Replace eight (8) existing deteriorated float pilings at an existing wharf on the Piscataqua River.

APPROVE PERMIT:

Replace eight (8) existing deteriorated float pilings at an existing wharf on the Piscataqua River.

With Conditions:

1. All work shall be in accordance with plans by Andrew Cole dated March 19, 2003, as received by the Department on March 24, 2003.
2. Any future work in jurisdiction as specified in RSA 482-A on this property will require a new application and approval by the Department of Environmental Services ("DES") Wetlands Bureau.
3. Coastal staff shall be notified in writing prior to commencement of work and upon completion.
4. This permit shall not be effective until recorded at the Registry of Deeds Office by the permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau prior to construction.
5. Work shall be done during low tide.
6. Work shall be conducted in a manner that avoids excessive discharges of sediments to fish spawning areas.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(x), piling maintenance or repair.
2. This approval is consistent with other tidal maintenance and repair approvals in the seacoast area.

2003-00526 LINEHAN, PAUL
NEW LONDON Pleasant Lake

Requested Action:

Repair and replace in kind, existing 35 linear ft of retaining wall surrounding existing beach on an average of 100 ft of frontage on Pleasant Lake, New London.

Conservation Commission/Staff Comments:

Con. Com. signed application.

APPROVE PERMIT:

Repair and replace in kind, existing 35 linear ft of retaining wall surrounding existing beach on an average of 100 ft of frontage on Pleasant Lake, New London.

With Conditions:

1. All work shall be in accordance with plans received by the Department on March 28, 2003.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
3. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.

4. Repair shall maintain existing size, location and configuration.
5. Retaining wall shall be constructed landward of the shoreline defined by the elevation of normal high water so as not to create land in public water.
6. Additional expedited minimum impact applications shall be accepted for the subject property for a period of 12 months only if the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application and when considered with the original application are not classified as minor or major.
7. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding and nesting areas shall be avoided.
8. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement action or revocation action if the DES later determines that these "existing structures" were not previously permitted or grandfathered.
9. These shall be the only structures on this water frontage and all portions of the dock shall be at least 20 ft. from the abutting property lines or the imaginary extension of those lines into the water.
10. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This project is classified as a minimum impact project per Rule Wt 303.04(v), repair of existing structures with no change in size, location or configuration.

2003-00528 SALOB, GERALD
LACONIA Lake Winnepesaukee

Requested Action:

Construct a 24 ft x 16 ft perched beach, utilizing 10 cu yds of sand, surrounded by natural stone, with three 1 ft x 4 ft stairs recessed into the bank accessing the water on an average of 120 ft of frontage on Paugus Bay, Lake Winnepesaukee.

Conservation Commission/Staff Comments:

Con. Com. signed application.

APPROVE PERMIT:

Construct a 24 ft x 16 ft perched beach, utilizing 10 cu yds of sand, surrounded by natural stone, with three 1 ft x 4 ft stairs recessed into the bank accessing the water on an average of 120 ft of frontage on Paugus Bay, Lake Winnepesaukee.

With Conditions:

1. All work shall be in accordance with plans by Docks Unlimited, as received by the Department on March 26, 2003.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
4. Existing rocks shall be used for shoreline stabilization. No Additional Rocks.
5. Additional expedited minimum impact applications shall be accepted for the subject property for a period of 12 months only if the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application and when considered with the original application are not classified as minor or major.
6. Work authorized shall be carried out such that discharges shall be avoided in spawning or nursery areas during spawning seasons, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
7. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding and nesting areas shall be avoided.
8. Excavated material shall be placed outside of the DES Wetlands Bureau jurisdiction.
9. Stone placed along the beach front for the purpose of retaining sand shall be placed above and/or landward of those rocks currently located along the normal high water line (Elevation 504.32). Those rocks existing at the normal high water line shall remain otherwise undisturbed such that the natural shoreline remains identifiable.

10. The steps installed for access to the water shall be located completely landward of the normal high water line.
11. No more than 10 cu. yds. of sand may be used and all sand shall be located above the normal high water line.
12. This permit shall be used only once, and does not allow for annual beach replenishment.
13. The applicant shall provide appropriate diversion of surface water runoff to prevent erosion of beach area.
14. Revegetation of trees, shrubs and ground covers representing the density and species diversity of the existing stand of vegetation removed for this project shall begin at a distance no greater than 5 feet landward from the beach area.
15. These shall be the only structures on this water frontage and all portions of the dock shall be at least 20 ft. from the abutting property lines or the imaginary extension of those lines into the water.
16. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(d), construction of a perched beach utilizing no more than 10 cu yds of sand.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

GOLD DREDGE

2003-00668 RASMUSSEN, ROBERT
(ALL TOWNS) Unnamed Stream

2003-00669 DAMICO, DANIEL
(ALL TOWNS) Unnamed Stream

SEASONAL DOCK NOTIFICATIO

2003-00565 SCACCHI JR, JOSEPH
NOTTINGHAM

2003-00654 REISNER, LINDA
EAST WAKEFIELD Belleau Lake